

45-02552

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

TRANSFER OF WATER RIGHT
TRANSFERRED RIGHT NO. 1042

THIS IS TO CERTIFY, That the Anderson Brothers, a co-partnership, of 25 Van Engelen Drive, Burley, Idaho, are the owners of and using a certain water right of 9.2 cubic feet per second of the waters of subterranean source, said water being obtained by virtue of License No. G-27017 and License No. G-22355, with priority as follows:

	<u>Issued</u>	<u>Priority</u>	<u>Amount</u>
License No. G-27017	September 23, 1964	August 2, 1957	6.0 c.f.s.
License No. G-22355	September 23, 1964	September 4, 1951	3.2 c.f.s.

for the purpose of irrigating the following described lands situate, lying and being in the County of Cassia, State of Idaho, to-wit:

All Section 13; E $\frac{1}{2}$ Section 14,
Township 12 South, Range 22 E.B.M.,
Lots 1, 2, 3 & 4, Section 18,
Township 12 South, Range 23 E. B. M.,

That said licenses have been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 13 of Licenses at Pages 8000 and 8001;

And that the Anderson Brothers have become the owners of said right by purchase;

And that now, upon the application of Anderson Brothers for the transfer of 9.2 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 9.2 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

{ All Section 13; E $\frac{1}{2}$ Section 14; NE $\frac{1}{4}$
Section 12, Township 12 South, Range 22
E.B.M., E $\frac{1}{2}$ Section 18; W $\frac{1}{2}$ S $\frac{1}{2}$, N $\frac{1}{2}$, Sec-
tion 7, Township 12 South, Range 23
E.B.M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

(9.2 cubic feet per second of the waters of subterranean source with priority as follows: 6.0 cubic feet per second, priority August 2, 1957; 3.2 cubic feet per second, priority September 4, 1951;

T-1040

45-2553

And that the water right hereby transferred has heretofore been conducted from subterranean sources with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 South, Range 22 E. B. M., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 South, Range 22 E.B.M., and conducted through private ditch;

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean sources by well with points of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 South, Range 22 E.B.M., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 South, Range 22 E.B.M., and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 12 South, Range 23 E.B.M., and conducted by private ditch;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 15th day of March, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

T-1042
45-2552

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of

Anderson Brothers
of
25 Van Engelen Drive
Burley, Idaho,

For a Transfer of Water Right
in the County of Cassia, State
of Idaho

ORDER GRANTING TRANSFER

NO. 1042

WHEREAS, On the 2nd day of February, 1965, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of the Anderson Brothers of 25 Van Engelen Drive, Burley, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and;

WHEREAS, NO protest has been filed against the application, and the evidence filed by the applicant with the application shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 15th day of March, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

T-1042
45-0553

✓ 78001
16

Trans # 1042
P.D. & Land

State of Idaho
License and Certificate of Water Right

Water License No. G-27017 / 45-2552 Amount 6.0 c.f.s.
Water District No. _____ Priority August 2, 1957

THIS IS TO CERTIFY that FLYING C. FARMS, Inc. - Assignee - FAYE HARSHBARGER
Assignee - ANDERSON BROS., a co-partnership
of Burley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 2, 19 57; that Permit No. G-27017
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
6.0 second feet, was issued thereunder on September 23, 19 64, showing that said works
were completed on the 10th day of June, 19 59; and that on the 10th
day of June, 19 59, FLYING C. FARMS, Inc - Assignee -
FAYE HARSHBARGER - Assignee - ANDERSON BROS., a co-partnership

of Burley, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-27017 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page 8001, on the 23 day of September, 19 64;
The right hereby confirmed dates from August 2, 19 57;
The Point of Diversion is located

in the SW 1/4 SE 1/4, Sec. 14, Tp. 12 S, R. 22 E, B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 6.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S	22 E	13	W 1/2	320	320
		14	E 1/2	320	320
		Total number of acres to be irrigated:			640

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
23rd day of September, 19 64.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

45 2552

State of Idaho License and Certificate of Water Right

Water License No. 21335

Amount 0.8 c.f.s.

Water District No.

Priority January 7, 1950

THIS IS TO CERTIFY that HARRY SLONE
of Payette, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 7, 1950; that Permit No. 21335
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second feet, was issued thereunder on March 16, 1950, showing that said works
were completed on the 2nd day of February, 1950; and that on the 10th
day of March, 1950,

HARRY SLONE - Assignee - KARL L. BRONSON & MARY L. BRONSON, his wife
of Payette, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. 21335 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page 8002, on the 24 day of September, 1964;

The right hereby confirmed dates from January 7, 1950;

The Point of Diversion is located
in the SE 1/4 NW 1/4, Sec. 25, Tp. 9 N, R. 5 W., B. M. Payette County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 N	5 W	25	NW 1/4	160	160

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
24th day of September, 1964.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34931
Permit No. G- 27017
District No.

Flying C. Farms, Inc.
Burley, Idaho

1. Name of Applicant: FLYING C. FARMS, INC.
Postoffice address: Burley County: Cassia State: Idaho
2. Quantity of water claimed: 7.15 second feet
(a) Rate of withdrawal in cubic feet per second. or Idaho
Miners' inches or gallons per minute.
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: subterranean well
4. Location of point of diversion or well is in the SW 1/4 of the SE 1/4 of Section 14
Twp. 12 S., Rge. 22 E., B.M., County of Cassia
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: ~~Subterranean well, open ditches and pipe~~
8. Estimated cost of works: \$ 40,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation: February 11, 1957, Burley, Idaho
(b) Amount of capital stock: \$ 200,000.00 (c) Amount paid in: \$
(d) Names and addresses of directors: Roger K. Cunningham, Harriet J. Cunningham, of Balboa, California
and Clark Harshbarger and Faye Harshbarger, of Burley, Idaho
II. The financial resources of the applicant are (a) Cash onhand: \$ 6,400.00
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

Assigned to
See assignment
to Burley, Idaho

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals	
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄		
12 S.	22 E	14	40	40	40	40										40	40	40	40	320
12 S.	22 E.	13										40	40	40	40					160
ASSIGNMENT and Amendment to Land List Comes now, Clark Harshbarger, the Vice-President of Flying C. Farms, an Idaho corporation, organized and existing under the laws of the State of Idaho, and for and on behalf of the corporation known as Flying C. Farms, does hereby assign to Faye Harshbarger, 80 inches of water from that certain well located in the Southwest Quarter of the Southeast Quarter of Section 14, Township 12 South, Range 22, E.B.M. and from Permit No. G-27017. This well produces approximately 380 inches of water, which water is used to irrigate lands other than that to which this assignment is made. That the land to which the 80 inches is assigned from Flying C. Farms Inc., is the Northwest Quarter of Section 13, Township 12 South, Range 22, E.B.M.. IN WITNESS WHEREOF, Flying C Farms has caused its corporate name to be hereunto subscribed by its Vice-President and its corporate seal to be affixed by its Secretary-Treasurer this 13th day of November, 1958. (SEAL) ATTEST: /s/ Faye Harshbarger Secretary-Treasurer FLYING C FARMS, INC. an Idaho corporation, By: /s/ Clark Harshbarger Its Vice-President.																				

STATE OF IDAHO)
County of Cassia) ss

On this 13 day of November, 1958, before me, the undersigned, a Notary Public in and for said State, personally appeared CLARK HARSHBARGER, and FAYE HARSHBARGER, known to me to be the Vice-President and Secretary-Treasurer of the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

My commission expires:
May 12, 1962

/s/ Norman H. Nielson
Notary Public in and for Idaho,
Residing at Burley, therein.

ASSIGNMENT & AMENDMENT TO LAND LIST

Received and filed for record
in the Department of Reclamation - Dec. 4, 1958
in Book 95 of Permits at Page 27017.

GEO. N. CARTER
State Reclamation Engineer

ASSIGNMENT

COMES NOW CLARK HARSHBARGER, the Vice President of FLYING "C" FARMS, an Idaho corporation, organized and existing under the laws of the State of Idaho, and for and on behalf of the corporation known as the Flying "C" Farms, does hereby assign to Faye Harshbarger, 20 inches of water from that certain well located in the Southwest Quarter of the Southeast Quarter in Section Fourteen, Township Twelve South, Range Twenty-two East of the Boise Meridian, and represented by Permit No. G-27017.

This well produces approximately 380 miners inches of water, which water is used to irrigate lands other than that to which this assignment is made. That the land to which the 20 inches is assigned from Flying "C" Farms, Inc., is the Northwest Quarter of Section Thirteen, Township 12 South, Range Twenty-two East of the Boise Meridian.

IN WITNESS WHEREOF, the Flying "C" Farms has caused its corporate name to be hereunto subscribed by its Vice President, and its corporate seal to be affixed by its Secretary-Treasurer this 11th day of April, 1959.

FLYING "C" FARMS, INC.
an Idaho Corporation,

By CLARK HARSHBARGER, Vice President

(SEAL)

FAYE HARSHBARGER, Secretary-Treasurer

STATE OF IDAHO)
County of Cassia) ss

On this 11th day of April, 1959, before me, the undersigned, a Notary Public in and for the State, personally appeared CLARK HARSHBARGER, and FAYE HARSHBARGER, known to me to be the Vice-President and Secretary-Treasurer of the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

s/ NORMAN H. NIELSON
Notary Public, Residing
at Burley, Idaho

(SEAL)

My commission expires: May 12, 1962

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-27017

Comes now FLYING "C" FARMS, INC. and represents to the State Reclamation Engineer of the State of Idaho

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-27017, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows :

to include the ~~W₂NE₄~~^{W₁NE₄}, Sec. 13, T. 12 S., R. 22 E., B. M., making a total of 80 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Burley, Idaho, this 19th day of June, 1959.

s/ Clark Harshbarger

Date of Receipt at Department of Reclamation: June 22, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-27017. This approval constitutes a new permit and is issued as an amendment to the original permit, which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

S. GEO. N. CARTER
State Reclamation Engineer

Recorded June 24, 1959

A S S I G N M E N T

For value received, I hereby assign my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-27017 to Anderson Bros., a co-partnership composed of Albert Anderson, Ray Anderson and Vanness Anderson of Oakley, Idaho

FLYING C. FARMS

By: Faye Harshbarger
Permit Holder

Clark Harshbarger, Its President

State of Idaho)
) ss
County of)

On this ____ day of August, 1964, before me, a Notary Public for the State of Idaho, residing at _____ personally appeared Clark Harshbarger known to me to be the President of Flying C Farms and the person whose name is subscribed to the within instrument and duly acknowledged to that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written

My commission expires 8-1-65

s/ CLEONE H. WHITNEY
Notary Public
Residing at Idaho Falls, Idaho

A S S I G N M E N T

For value received, I hereby assign my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-27017 to Anderson Bros., a co-partnership composed of Albert Anderson, Ray Anderson, and Vanness Anderson of Oakley, Idaho

s/ FAYE HARSHBARGER
Permit Holder

s/ CLARK HARSHBARGER
Husband of Permit Holder

STATE OF IDAHO)
) ss
County of)

On this 666 day of August, 1964, before me, a Notary Public for the State of Idaho, residing at _____ personally appeared FAYE HARSHBARGER and CLARK HARSHBARGER known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My commission expires: 8-1-65

s/ CLEONE H. WHITNEY
Notary Public
Residing at Idaho Falls, Idaho

Permit No. G-27017
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that FLYING C FARMS, Inc - Assignee - FAYE HARSHBARGER - Assignee - ANDERSON BROS., a co-partnership of Burley, County of Cassia, and State of Idaho, the holders of Permit No. G-27017, issued upon Application No. G-34931, bearing date of priority of August 2, 1957, authorizing the diversion of 7.15 second feet of waters of a well, County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 6.0 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 12 S., R. 22 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, te-wit:

640 acres in W $\frac{1}{2}$, Sec. 13; E $\frac{1}{2}$, Sec. 14, T. 12 S., R. 22 E., B. M.

Witness my hand this 23rd day of September, A. D. 1964.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: June 10, 1959

LICENSE ISSUED FOR 6.0 SEC. FT.
LICENSE PAGE NO. 8001

WATER RIGHT NUMBER 45-2552

OWNER LAST NAME - FLYING FARMS INC.

FIRST NAME - ORIG OWNER - 0

OWNER LAST NAME - ANDERSON BROS.

FIRST NAME -

ORIG OWNER -

ADDRESS LINE 1 - 25 VAN ENGELN DR.

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BURLEY

STATE - ID ZIP CODE - 83318

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 08-02-1957 COUNTY - CASSIA

TOTAL DIV. RATE -

6.0000 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND - T

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSE 14 12S 22E LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SWSE 13 12S 22E LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

SWSW 07 12S 23E LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

6.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 12S RNG 23E SEC 07

TRACT NENE LOT

AC 40 TRACT

NWNE LOT

AC 40

TRACT SWNE LOT

AC 40 TRACT

SENE LOT

AC 40

TRACT NENW LOT

AC 40 TRACT

NWNW LOT

AC 40

TRACT SWNW LOT

AC 40 TRACT

SENE LOT

AC 40

TRACT NESW LOT

AC 40 TRACT

NWSW LOT

AC 40

TRACT SWSW LOT

AC 40 TRACT

SESW LOT

AC 40

USE - IRRIGATION

PLACE OF USE - TWN 12S RNG 23E SEC 18

TRACT NENE LOT

AC 40 TRACT

NWNE LOT

AC 40

TRACT SWNE LOT

AC 40 TRACT

SENE LOT

AC 40

TRACT NESE LOT

AC 40 TRACT

NWSE LOT

AC 40

TRACT SWSE LOT

AC 40 TRACT

SESE LOT

AC 40

USE - IRRIGATION

PLACE OF USE - TWN 12S RNG 22E SEC 12

TRACT NENE LOT

AC 40 TRACT

NWNE LOT

AC 40

TRACT SWNE LOT

AC 40 TRACT

SENE LOT

AC 40

USE - IRRIGATION

PLACE OF USE - TWN 12S RNG 22E SEC 14

TRACT NENE LOT

AC 40 TRACT

NWNE LOT

AC 40

TRACT SWNE LOT

AC 40 TRACT

SENE LOT

AC 40

TRACT NESE LOT

AC 40 TRACT

NWSE LOT

AC 40

TRACT SWSE LOT

AC 40 TRACT

SESE LOT

AC 40

USE - IRRIGATION

PLACE OF USE - TWN 12S RNG 22E SEC 13

TRACT NENE LOT

AC 40 TRACT

NWNE LOT

AC 40

TRACT SWNE LOT

AC 40 TRACT

SENE LOT

AC 40

TRACT NENW LOT

AC 40 TRACT

NWNW LOT

AC 40

TRACT SWNW LOT

AC 40 TRACT

SENE LOT

AC 40

TRACT NESW LOT

AC 40 TRACT

NWSW LOT

AC 40

TRACT SWSW LOT

AC 40 TRACT

SESW LOT

AC 40

TRACT NESE LOT

AC 40 TRACT

NWSE LOT

AC 40

TRACT SWSE LOT

AC 40 TRACT

SESE LOT

AC 40

DECREE NAME -

DATE -

TOTAL ACRES

1,920

REMARKS - P/U & P/D COMBINED W/45-2390 BY TRANS. 1042.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 27017

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

RECEIVED
4/18/85

VERIFIED DDL
4/19/85

IDENT. NO. 45-2552

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 27017 145-2552
 Old No. New No.

Record

1. Original Owner: Flying Farms Inc.

Present Owner: Anderson Bros.

2. Address: 25 Van Engelen Dr.

3. City: Oakley Burley State: Id Zip: _____

4. A. Source of Water: GW

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 8-2-1957

D. County: 31

E. Total Diversion Rate: 4.26

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): T

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWSE</u>	<u>14</u>	<u>12S</u>	<u>22E</u>	_____	_____
	<u>SWSE</u>	<u>13</u>	<u>12S</u>	<u>22E</u>	_____	_____
	<u>SWSW</u>	<u>7</u>	<u>12S</u>	<u>23E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 6.
 (cfs or AG-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	22E	13	40																
		14	40												40				
		12	40																
12S	23E	18	40												40				
		7	40								40	40			40	40			

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *P/u + P/D combined w/45-2390 by trans. 1042.*
 B.
 C.
 D.
 E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: *27017*

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

Ch 5-21-77

THE STATE OF IDAHO
 Notice is hereby given that the
 State Engineer of Idaho, before the
 State Reclamation Engineer, at Burley,
 Idaho, on the 29th day of May, 1959,
 at Burley, Idaho, before Norman H. Nielson,
 Notary Public, has submitted the proof
 of completion of works for the diversion
 of 7.15 cubic feet per second of
 underground waters from a well, and
 of the application to beneficial use of
 said water, in accordance with the terms
 and conditions of Permit No. G-27017,
 (part) heretofore issued by the
 Department of Reclamation of the
 State of Idaho.

Annual 600 cubic feet per second.
 Priority: August 2, 1957.
 Amount: 2.2 cubic feet per second.
 Priority: September 4, 1951.
 Point of diversion: SW 1/4 Sec. 14,
 Section 13, Township 12 S., Range
 22 E., B. M.
 Point of diversion: SW 1/4 Sec. 14,
 Section 13, Township 12 S., Range
 22 E., B. M.

Place of Use: All Sec. 13, E 1/2 Sec.
 14, Twp. 12 S., Rge. 22 E., B. M.
 Lots 1, 2, 3 & 4, Sec. 18, Twp. 12
 S., Rge. 23 E., B. M.

To Be Transferred To
 Point of Diversion: SW 1/4 Sec. 14,
 Section 13, Township 12 S., Range
 22 E., B. M.

Point of Diversion: SW 1/4 Sec. 14,
 Section 13, Township 12 S., Range
 22 E., B. M.

Point of Diversion: SW 1/4 Sec. 14,
 Section 13, Township 12 S., Range
 22 E., B. M.

Place of Use: All Sec. 13, E 1/2 Sec.
 14, Twp. 12 S., Rge. 22 E., B. M.
 Sec. 14, NE 1/4 Sec. 13, Twp. 12 S.,
 Rge. 22 E., E 1/2 Sec. 13, W 1/2 Sec.
 14, Twp. 12 S., Rge. 22 E., B. M.

And that on the 2nd day of
 February, 1959, at 2:00 o'clock
 P.M. at Burley, Idaho, before the
 State Reclamation Engineer, at Burley,
 Idaho, before Norman H. Nielson,
 Notary Public, or his authorized
 agent, the opportunity will be
 given to any and all persons to
 appear and present, for his con-
 sideration any reason or reasons
 why a certificate should not be
 issued authorizing such transfer.

CARL E. TAPPAN
 State Reclamation Engineer
 Published in the Burley Bulletin,
 Bulletin January 12, 24, 1959.

NOTICE OF PROOF OF COMPLETION OF WORKS

APPLICATION FOR WATER TO BENEFICIAL USE

Notice is hereby given that, at
 10:00 A.M., on the 29th day of
 May, 1959, at Burley, County of
 Cassia, State of Idaho, before
 Norman H. Nielson, Notary Public,
 at Burley, Cassia County, Idaho,
 proof will be submitted of the
 completion of works for the diver-
 sion of 7.15 cubic feet per second
 of underground water from a well
 and of the application to bene-
 ficial use of said water, in accord-
 ance with the terms and condi-
 tions of Permit No. G-27017 Part
 heretofore issued by the Depart-
 ment of Reclamation of the State
 of Idaho.

1. The name and postoffice ad-
 dress of the person or corporation
 holding said permit is Faye Harsh-
 barger, under an assignment from
 Faye Harshbarger, Inc., for 2 second

amount of water which said works
 are capable of conveying to the
 place of use is 3 cubic feet per
 second.

2. The use to which said water
 has been applied is irrigation pur-
 poses, and the amount applied to
 beneficial use is 2.0 cubic feet
 per second.

3. The point of diversion of said
 water is SW 1/4 of the SE 1/4 of Sec.
 14, Twp. 12 So., Rge. 22, E.B.M.

4. The place where said water
 is used is NW 1/4 of Sec. 13, Twp.
 12 So., Rge. 22, E.B.M.

5. The date of priority which
 said user is prepared to establish
 is August 2, 1957.

GEO. N. CARTER
 State Reclamation Engineer
 Published in the Burley Bulletin,
 May 5-12-19-26, 1959. 27017

NOTICE OF PROOF OF COMPLETION OF WORKS

APPLICATION FOR WATER TO BENEFICIAL USE

Notice is hereby given that at
 10:00 A.M., on the 29th day of
 May, 1959, at Burley, County of
 Cassia, State of Idaho, before Nor-
 man H. Nielson, Notary Public,
 proof will be submitted of the
 completion of works for the diver-
 sion of 7.15 cubic feet per second
 of underground waters from a
 well, and of the application to
 beneficial use of said water, in
 accordance with the terms and
 conditions of Permit No. G-27017,
 (part) heretofore issued by the
 Department of Reclamation of the
 State of Idaho.

1. The name and postoffice ad-
 dress of the person or corporation
 holding said Flying "C" Farms,
 Inc. 2 cubic feet per second of the
 water of this permit has been
 assigned to Faye Harsh-
 barger.

2. Said works of diversion will
 be fully completed on the date set
 for such completion, and the
 amount of water which said works
 are capable of conveying to the
 place of use is 8 cubic feet per
 second.

3. The use to which said water
 has been applied is irrigation pur-
 poses, and the amount applied to
 beneficial use is 3.15 cubic feet
 per second.

4. The point of diversion of said
 water is SW 1/4 Sec. 14, of Sec. 14,
 Twp. 12 So., Rge. 22, E.B.M.

5. The place where said water is
 used is SW 1/4 of Sec. 13 and E 1/2
 of Section 14, all in Twp. 12 So.,
 Rge. 22, E.B.M. W 1/2 of the NE 1/4
 Sec. 13 T 12 S Range 22, E.B.M.

6. The date of priority which
 said user is prepared to establish
 is August 2, 1957.

GEO. N. CARTER
 State Reclamation Engineer
 Published in the Burley Bulletin,
 May 5-12-19-26, 1959. 27017

35-18

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**

Notice is hereby given that Anderson Bros., a partnership of 25 Van Engelen Drive, Burley, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion and/or place of use of the waters of subterranean source as follows:

Amount: 6.0 cubic feet per second. Priority: August 2, 1957.

Amount: 2.2 cubic feet per second. Priority: September 4, 1951.

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 S., Range 22 E., B. M.

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 13 S., Range 22 E., B. M.

Place of Use: All Sec. 13; E $\frac{1}{2}$ Sec. 14, Twp. 12 S., Rge. 22 E.B.M.; Lots 1, 2, 3 & 4, Sec. 18, Twp. 12 S., Rge. 23 E.B.M.

To Be Transferred To

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 S., Range 22 E.B.M.

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 S., Range 22 E.B.M.

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 12 S., Range 23 E.B.M.

Place of Use: All Sec. 13; E $\frac{1}{2}$ Sec. 14; NE $\frac{1}{4}$ Sec. 12, Twp. 12 S., Rge. 22 E.; E $\frac{1}{2}$ Sec. 18; W $\frac{1}{2}$ S $\frac{1}{4}$ N $\frac{1}{2}$, Sec. 7 Twp. 12 S., Rge. 23 E.B.M.

And that on the 2nd day of February, 1965, at 2:00 o'clock P.M. at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin January 18, 25, 1965.

**NOTICE OF PROOF OF
COMPLETION OF WORKS****APPLICATION FOR WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M. on the 29th day of May, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, at Burley, Cassia County, Idaho, proof will be submitted of the completion of works for the diversion of 7.15 cubic feet per second of underground water from a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27017 Part heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Faye Harshbarger, under an assignment from Faye Harshbarger, Inc., for 2 second

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.0 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 14, Twp. 12 So., Rge. 22, E.B.M.

5. The place where said water is used is NW $\frac{1}{4}$ of Sec. 13, Twp. 12 So., Rge. 22, E.B.M.

6. The date of priority which said user is prepared to establish is August 2, 1957.

GEO. N. CARTER
State Reclamation Engineer

Published in the Burley Bulletin, May 5-12-19-26, 1959. 27017

**NOTICE OF PROOF OF
COMPLETION OF WORKS****APPLICATION FOR WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M. on the 29th day of May, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, proof will be submitted of the completion of works for the diversion of 7.15 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27017 (part) heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said Plying "C" Permit, Inc. 2 cubic feet per second of the water of this permit has been assigned to Faye Harshbarger.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 5.15 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 14, Twp. 12 So., Rge. 22, E.B.M.

5. The place where said water is used is SW $\frac{1}{4}$ of Sec. 13 and E $\frac{1}{2}$ of Section 14, all in Twp. 12 So., Rge. 22, E.B.M. W $\frac{1}{2}$ of the NE $\frac{1}{4}$ Sec. 13 T 12 S Range 22, E.B.M.

6. The date of priority which said user is prepared to establish is August 2, 1957.

GEO. N. CARTER
State Reclamation Engineer
Published in the Burley Bulletin, May 5-12-19-26, 1959. 27017

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**

Notice is hereby given that Anderson Bros., a partnership of 25 Van Engelen Drive, Burley, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion and/or place of use of the waters of subterranean source as follows:

Amount: 6.0 cubic feet per second. Priority: August 2, 1957.

Amount: 2.2 cubic feet per second.

Priority: September 4, 1951.

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 S. Range 22 E., B. M.

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 13 S. Range 22 E. B.M.

Place of Use: All Sec. 13; E $\frac{1}{2}$ Sec. 14, Twp. 12 S., Rge. 22 E.B.M.; Lots 1, 2, 3 & 4, Sec. 18, Twp. 12 S., Rge 23 E.B.M.

To Be Transferred To

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 S., Range 22 E.B.M.

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 S., Range 22 E.B.M.

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 12 S., Range 23 E.B.M.

Place of Use: All Sec. 13; E $\frac{1}{2}$ Sec. 14; NE $\frac{1}{4}$ Sec. 12, Twp. 12 S., Rge 22 E.; E $\frac{1}{2}$ Sec. 18; W $\frac{1}{2}$ S $\frac{1}{4}$, N $\frac{1}{2}$ Sec. 7 Twp. 12 S., Rge. 23 E.B.M.

And that on the 2nd day of February, 1965, at 2:00 o'clock P.M. at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN

State Reclamation Engineer
Published in the Burley Herald-Bulletin January 18, 25, 1965.

**NOTICE OF PROOF OF
COMPLETION OF WORKS****APPLICATION FOR WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M., on the 29th day of May, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, at Burley, Cassia County, Idaho, proof will be submitted of the completion of works for the diversion of 7.15 cubic feet per second of underground water from a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27017 Part heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Paye Harshbarger, under an assignment from Flying C Farms, Inc., for 2 second ft. of water.

2. Said works of diversion will be fully completed on the date set

for such completion, and the amount of water which said works are capable of conveying to the place of use is 8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.0 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 11, Twp. 12 So. Rge. 22, E.B.M.

5. The place where said water is used is NW $\frac{1}{4}$ of Sec. 13, Twp. 12 So. Rge. 22, E.B.M.

6. The date of priority which said user is prepared to establish is August 2, 1951.

GEO. N. CARTER

State Reclamation Engineer
Published in the Burley Bulletin, May 5-12-19-26, 1959. 27017

**NOTICE OF PROOF OF
COMPLETION OF WORKS****APPLICATION FOR WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M., on the 29th day of May, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, proof will be submitted of the completion of works for the diversion of 7.15 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27017, Part heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said Flying "C" Farms, Inc. 2 cubic feet per second of the water of this permit has been assigned to Paye Harshbarger.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 5.15 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 14, Twp. 12 So. Rge. 22, E.B.M.

5. The place where said water is used is SW $\frac{1}{4}$ of Sec. 13 and E $\frac{1}{2}$ of Section 14, all in Twp. 12 So. Rge. 22, E.B.M. W $\frac{1}{2}$ of the NE $\frac{1}{4}$ Sec. 15, Twp. 12 S. Range 23, E.B.M.

6. The date of priority, which said user is prepared to establish is August 2, 1951.

GEO. N. CARTER

State Reclamation Engineer
Published in the Burley Bulletin, May 5-12-19-26, 1959. 27017

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	~~Harshbarger, Faye~~	~~6.0~~		~~45-2552~~
1042	Anderson Brothers	6.0		45-2552

R

E

F

S

N

A

R

T

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Elbert L. Durfee of Almo, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No.'s (A) 43-2552 and (B) 43-2560 and is recorded as follows:

(A) 43-2552

Amount: 3.60 cfs Priority: September 19, 1962

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 16S, Rge. 24E, B.M. Cassia County

The water is used for the irrigation of 298 acres within the S $\frac{1}{2}$, Sec. 12 (163 acres); N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 14 (95 acres); W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 23 (40 acres), Twp. 16S, Rge. 24E, B.M.

(B) 43-2560

Amount: 5.0 cfs Priority: January 4, 1963

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 16S, Rge. 24E, B.M.; 3 points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, Twp. 16S, Rge. 24E, B.M. Cassia County

The water is used for the irrigation of 266 acres within the S $\frac{1}{2}$, Sec. 12 (163 acres); N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 14 (103 acres), Twp. 16S, Rge. 24E, B.M.

TO BE CHANGED AS FOLLOWS

The applicant proposes to divert 8.60 cfs from wells in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; 3 points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, Twp. 16S, Rge. 24E, B.M. Cassia County to irrigate 306 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 12 (266 acres); W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 23, (40 acres), Twp. 16S, Rge. 24E, B.M.

Any protest against the approval of the proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before January 16, 1976.

R. KEITH HIGGINSON
DIRECTOR

Published on 12-30-75 and January 6, 1976.

MICROFILMED

December 18, 1975

Notice of Proposed Change of Water Right No.'s (A) 43-2552 & (B) 43-2560 - Elbert Durfee

South Idaho Press
Box 190
Burley, ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

MICHAEL L. STEELE
Southern Region Supervisor

MLS:cc

Bill submitted: 6/15/76

MICROFILMED

75-430

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

Notice is hereby given that Elbert L. Durfee of Almo, Idaho, has applied to the Department of Water Resources for a change in the place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No.'s (A) 43-2552 and (B) 43-2560 and is recorded as follows:

(A) 43-2552

Amount: 3.60 cfs

Priority: September 19, 1962

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 16S, Rge. 24E, B.M. Cassia County

The water is used for the irrigation of 298 acres within the S $\frac{1}{2}$, Sec. 12 (163 acres); N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 14 (95 acres); W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 23 (40 acres), Twp. 16S, Rge. 24E, B.M.

(B) 43-2560

Amount: 5.0 cfs

Priority: January 4, 1963

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 16S, Rge. 24E, B.M.; 3 points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, Twp. 16S, Rge. 24E, B.M. Cassia County

The water is used for the irrigation of 266 acres within the S $\frac{1}{2}$, Sec. 12 (163 acres); N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 14 (103 acres), Twp. 16S, Rge. 24E, B.M.

TO BE CHANGED AS FOLLOWS

The applicant proposes to divert 8.60 cfs from wells in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; 3 points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, Twp. 16S, Rge. 24E, B.M. Cassia County to irrigate 306 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 12 (266 acres); W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 23, (40 acres), Twp. 16S, Rge. 24E, B.M.

Any protest against the approval of the proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before January 16, 1976.

R. KEITH HIGGINSON

DIRECTOR

Published on 12-30-75 and January 6, 1976.

O.K.C.C.
12/30/75

NIELSON, NIELSON & NIELSON

ATTORNEYS AND COUNSELORS AT LAW

P. O. BOX 367

BURLEY, IDAHO 83318

ADONIS H. NIELSON
NORMAN H. NIELSON
GORDON S. NIELSON

AREA CODE 208

OCT 14 1967
TELEPHONE 678-5574

October 30, 1967

State Reclamation Engineer
State of Idaho
Capitol Building
Boise, Idaho

Attention: Mr. Jack Barnett

Re: Anderson & Martin Farms and Anderson Bros.

Dear Mr. Barnett:

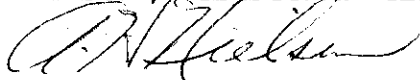
In the above matter we talked over the telephone and then you sent us a letter and request that we let you know within 10 days what we expected to do. I told you we had been planning on coming to Boise and discuss the matter with you on the 7th of November, 1967. You told me you would attempt to make an appointment with Mr. Higginson on that date.

After I received your letter, Ray Anderson, one of the Anderson Bros., called Mr. Higginson and was informed that Mr. Higginson was to be in Burley on the 14th of November, 1967. Your Chief suggested that we wait until the 14th and that Mr. Higginson and his party, and I hope you are one of the party, can be shown over the premises so that you can become better acquainted with the situation on the lands involved.

On the 14th I will be in Hawaii attending the National Irrigation Reclamation Association Convention but I have gone over the matter with my son, Gordon, and he can accompany the party and you can inform him as to your desires. If your office must have the information before the 14th, will you please notify me?

Sincerely yours,

NIELSON, NIELSON & NIELSON



A. H. Nielson

AHN:nw

27017

MEMORANDUM

TO: DON WATTS

FROM: JACK BARNETT

SUBJECT: Anderson Brothers Water Rights

Adonis Nielson and one of the Anderson Brothers visited the office on April 17, 1967 with regard to a well in Section 7, T. 13 S., R. 23 E., B.M. This is the well of which we had previously questioned the legality, and had written a letter to Anderson Brothers. We later discovered that there was a transfer on file that combined the rights on 2 additional wells and included the third point of diversion located in Section 7. The transfer has been numbered 1042 and it affects Permits No. G-27017 and G-22355. G-27017 has been licensed for 6 c.f.s. and G-22355 has been licensed for 3.2 c.f.s. allowing a total production of 9.2 c.f.s. from the 3 wells. It would appear that the transfer allowed an enlargement of the total number of acres irrigated, but it also appears that we are stuck with our approval of the transfer and will have to allow it.

Mr. Anderson indicated that the 3 wells produce approximately 100 inches more than can be covered by the 2 rights and he wishes to transfer additional rights to this well in Section 7. They were in because they were concerned that we might attempt to stop the pumping of the well in Section 7 during this forthcoming season before they had an opportunity to affect a transfer of additional rights. From what Mr. Anderson said it also appears that water is being pumped south from wells in Sections 13 and 14, T. 13 S., R. 22 E., B.M. to additional lands that are not covered by the transfer.

Mr. Anderson said that he has a well that is located in the SW~~1~~NE~~4~~, Sec. 25, T. 12 S., R. 22 E., B.M. that does not have a filing on it. The well was drilled approximately 15 years ago and at one time produced as much as 160 inches but that production has fallen off.

It was determined that we would not attempt to stop the pumping of the well in Section 7 during the forthcoming irrigation season if they would proceed as soon as possible to file a claim on the well in Section 25 and then a transfer to move a portion of that right to the well in Section 7. When they are doing this they should also make sure that they are not enlarging the acreage and that the transfer allows for the irrigation of the acreage that the water is physically being placed on.

27017

Mr. Anderson also indicated that there is an additional well in either the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2 or the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T. 13 S., R. 22 E., B.M. This well has dropped in production and perhaps he might wish to transfer a portion of this right to another well. He said that he was certain that there was a filing in our office as he can remember the inspection, and it was required because the land was acquired under a Desert Land Entry. Don McEldowney searched our files both by name and location and could not find a right. Mr. Anderson assured us that he would obtain the number of the water right and forward the information to us.

When they are making transfers such as the one they are proposing, particularly in the critical ground water area, it seems essential that we make some actual measurements of the discharge of the wells. Mr. Anderson has agreed to allow us to do this at any time. I think that it would be worthwhile for you or for someone from this office to measure the discharge from these wells the next time you are in the Burley area for proof inspections and place a record of these measurements in the water right filing in anticipation of the forthcoming transfer. I would also appreciate it if you would keep tabulations on these wells and these rights to the time the claim and transfer are filed particularly after the first of June.

I have written a letter to Mr. Nielson to remind him of this. You will find a copy of the letter attached. Please make sure that claim forms are sent to Anderson Brothers as soon as they are available.

27017

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

April 18, 1967

RE: Anderson Brothers Water Rights

Adonis Nielson
Attorney at Law
Burley, Idaho 83318

Dear Mr. Nielson:

I appreciated your visit on April 17 to discuss the filings of the Anderson Brothers on wells, particularly with respect as to how they related to a very productive well in Section 7 of Township 13 South, Range 23 East. This well has been covered by a transfer application which amends Permit Nos. G-27017 and G-22355. I am taking this opportunity to write to you to clarify our understanding in the office.

The three wells under Transfer No. 1042 produce a total of 100 inches of water more than the rights will allow. We have agreed that the department will take no action to stop the pumping of the well in Section 7 provided that immediate action is taken to transfer additional rights owned by Anderson Brothers to the well. The most feasible way to accomplish this appears to be by filing of a claim on a well located in Section 25, T. 12 South, Range 22 East, following the filing of a transfer that would affect the points of diversion and perhaps the place of use of the water right claim. The actual filing of the claim can not be accomplished until June 1 when the law relating to the filing of claims goes into effect. We will mail claim forms as soon as they are ready.

There is another well located in either Section 2 or Section 11 of Township 13 South, Range 22 East that Mr. Anderson indicated he was certain a filing had been made for. We would appreciate your securing the water right number so that we can clarify our records.

We will have personnel in the field in the next month or so to measure the discharge from the wells in question.

27017

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Adonis Nielson _ page 2

We appreciate your cooperation in the matter and if you have any questions concerning it please do not hesitate to write or call us.

Very truly yours,

Jack A. Barnett
Deputy State Reclamation Engineer

JAB:mr

C
O
P
Y

27017

AFTER FIVE DAYS RETURN TO
DEPARTMENT OF RECLAMATION
ROOM 107, STATE HOUSE
BOISE, IDAHO 83701



RECEIVED
JAN 18 1967

Department of Reclamation

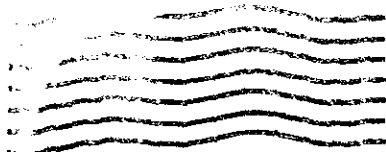
Flying C Farms, Inc.

Burley, Idaho

- ☒ Moved, left no address
- ☐ No such number
- ☒ Moved, not forwardable
- ☒ Addressee unknown

26

27017



27017

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION
107 Statehouse
Boise, Idaho 83701

G-27017

January 13, 1967

Dear Water User:

As you are aware a large area in Twin Falls and Cassia Counties was designated as a critical ground water area in 1962. Since that time the State Reclamation Department has entered into a cooperative agreement with the U. S. Geological Survey to study the ground-water resources of the area. That study is now completed, and a report is being prepared. The state reclamation engineer is reviewing the hydrology and water level changes while considering the possibility of modifying the area that is designated as critical and closed to additional water development.

With regard to this the State Reclamation Engineer, R. Keith Higginson, will conduct a public meeting in the Murtaugh High School Auditorium at 7:30 P.M. on January 25, 1967. The locations and amounts of present water rights will be reviewed, and alternatives for modification of the area will be presented. In addition U. S. Geological Survey personnel will be present to relate what is now known of the ground water resources of the area.

Water users are encouraged to participate in the discussion, and all interested parties are urged to attend.

Very truly yours,



Jack A. Barnett
Assistant State Reclamation Engineer

JAB:mr

27017

October 14, 1964

Re: Permit No. G-22355; G-27017
Anderson Brothers

A. H. Nielson
Attorney at Law
P. O. Box 367
Burley, Idaho

Dear Mr. Nielson:

Enclosed are the Assignments on the above numbered permits from Faye Harshberger to Anderson Bros., which have been recorded in this office.

Also enclosed are the Certificates of Completion of Works and Licenses and Certificates of Water Right issued on these permits, together with Departmental Receipt G-8862, in the amount of \$71.00 and G-8940, in the amount of \$1.50.

The refund of \$5.00 will be mailed directly from the Auditor's office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:sw

Enc. assignments
certificates
receipts

cc: Anderson Bros.
Oakley, Idaho

27017

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

October 9, 1964

A. H. NIELSON
N. H. NIELSON

TELEPHONE
678-5574

RECEIVED
OCT 12 1964

Department of Reclamation

Mr. Ralph W. Thomas, Deputy
State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit No. 20676, Albert Anderson & Sons
Permit No. G-26174, Albert Anderson & Sons

Dear Mr. Thomas:

Re: Permit No. G-26174

In the above matter the publication of the notice was made and a day or so before the hearing here in the office a son of Albert Anderson, who is the man acting for the corporation, was killed in an automobile accident. Because this son was looking after the farming property of the corporation we have not been able to get the signature of Mr. Anderson, but expect to do so within a day or so. The witnesses have been here and we are waiting to get their statements typed.

Re: Permit No. 20676

This permit can be canceled.

Re: Permit Nos. G-27017 and G-22355
Faye Harshbarger or Flying C Farms

Would you refer to a letter written by Edna P. Rule dated the 4th of September in regard to the above permits. We are sending our check

27017

for \$1.50 as required in that letter and hope now that the certificates and licenses can be issued.

If there is any additional information you need, we will be pleased to give it to you. The death we mentioned above has caused a change in the business methods of the corporation.

Very truly yours ,

NIELSON & NIELSON .

By 

A. H. Nielson

AHN:nw

Ck. enclosed

P.S.

We are sending the Miscellaneous Expenditure Voucher signed by Albert Anderson, Secretary of Albert Anderson & Sons Company.

27017

Anderson Bros., of Oakley, Cassia County, Idaho, a co-partnership is the owner of the following described wells through purchases made.

Such wells are located as follows:

Well #1, under permit No. 21596 located in the Southwest corner of the South Half of the Northeast Quarter of Section 25, Township 12 South, Range 22, E.B.M., filed on by Albert Anderson and Sons Company.

*Cancelled
May 26, 1953*

Well #2, located in the Southwest corner of the Southeast Quarter of Section 13, Township 12 South, Range 22, E.B.M., which said well was filed on by either Clark Harshbarger or Flying C Farms.

22355

Well #3, located in the Southwest corner of the Southeast Quarter of Section 14, Township 12 South, Range 22, E.B.M. filed on by either Clark Harshbarger or Flying C Farms.

27017

Anderson Bros. purchased the lands which were serviced by the said wells.

Well #1 did produce 130 inches of water and is now producing only 40 inches of water.

Well #2 was represented to Anderson Bros. as producing 240 inches of water and is now producing only 140 inches

Well #3 was represented to Anderson Bros. as producing 360 inches of water and now produces 290 inches of water.

The water from the wells is not sufficient to irrigate the lands which said wells once irrigated.

Anderson Bros. drilled a new well in the spring of 1964 in the Southwest corner of Section 7, Township 12 South, Range 23, E.B.M. which is now producing 300 inches of water and this water is being used to irrigate the lands once irrigated from the three wells mentioned above.

Anderson Bros. requests the right to use whatever water is available from the above mentioned three wells and in addition be allowed to use water from the well drilled in 1964, above described. There are approximately 800 acres of potatoes dependent upon the water from these four wells above mentioned, which said crops are growing on Section 7 and 18 of Township 12 South, Range 23, E.B.M. and Section 13 of Township 12 South, Range 22, E.B.M.

27017

September 23, 1964

Re: Permit NO. G-27017
Anderson Brothers.

A. H. Nielson
Atty. & Counselors at Law
Burley, Idaho

Dear Mr. Nielson:

On September 3, 1964 we received three checks in the amount of \$ 71.00 and receipt number G-8862 was issued to cover the fees for Certificates and Licenses on Permits numbers G-22355 and G-27017 for Faye Hardberger Flying C Farms. However at a later date three assignments were received which placed Permit No. G-27017 as one owner and only one Fee was necessary. Therefore, you have a refund of \$ 5.00 coming to you.

We must have \$ 1.50 to pay for the three assignments.

Find enclosed a DA B so you can get your refund, sign where it is checked in red and return it with your check for \$ 1.50.

Yours truly
Carl E. Tappen State Reclamation Engineer

E. H. Broadbent Acct.

Room 107, Statehouse
Boise, Idaho

27017

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

September 1, 1964

TELEPHONE
678-5574

RECEIVED
SEP 3 1964

Department of Reclamation

State Reclamation Engineer
Department of Reclamation
State of Idaho
Boise, Idaho

Re: Permit No. G-22355, Faye Harshbarger
Permit No. G-27017, Flying C Farms
Permit No. G-27017, Faye Harshbarger

Gentlemen:

In the above matter and answering your letter of Junly 27, 1964, we are sending \$29.00 for Permit No. G-22355, \$29.00 for Permit No. G-27017, Flying C Farms and \$13.00 for Permit No. G-27017, Faye Harshbarger. These checks are signed by Anderson Bros.

We are sending assignments in the above three matters signed by the Harshbargers and Flying C Farms.

If you will notify us as to your costs we will send you our check in payment of the same.

In our application for amending the point of diversion mailed to you on July 24, 1964, we mentioned that there were 800 acres of potatoes in need of water from the wells. We did not mention that there are 1280 acres in the lands being purchased from the Idaho Bank of Commerce who became the owner of the Harshbarger property and that the water is needed for the 1280 acres and not just for the 800 acres.

Mr. Albert Anderson and myself expect to make a trip to Boise in the near future to go over the entire matter with you. Perhaps we can explain the situation better than we can do by letter.

Very truly yours,

NIELSON & NIELSON
By *A. H. Nielson*
A. H. Nielson

AHN:nw
Enclosure

27017

ASSIGNMENT

For value received, I hereby assign my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-27017 to Anderson Bros., a co-partnership composed of Albert Anderson, Ray Anderson, and Vanness Anderson of Oakley, Idaho.

FLYING C FARMS

By Clark Harshbarger
Permit Holder
Its President
Clark Harshbarger
~~XXXXXXXXXXXXXXXXXXXX~~

STATE OF IDAHO)

County of) ss

On this _____ day of August, 19 64, before me, a Notary Public for the State of Idaho, residing at _____

personally appeared Clark Harshbarger known to me to be the President of Flying C. Farms and
~~XXXXXXXXXXXXXXXXXXXX~~ the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My commission expires _____

Clarence H. Whitney
Notary Public
Residing at Idaho Falls, Idaho

- * If fractional part of permit is to be assigned, the same fractional part of the land to which the assigned fraction is appurtenant should be shown.

27017

RECEIVED

SEP 2 1964

ASSIGNMENT

Department of Information

For value received, I hereby assign my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 27017 to Anderson Bros., a co-partnership composed of Albert Anderson, Ray Anderson ~~and~~ and Vanness Anderson, of Oakley, Idaho

Faye Harshbarger
Permit Holder

Clark Harshbarger
Husband ~~and~~ of Permit Holder

STATE OF IDAHO)
County of) ss

On this _____ day of August, 1964, before me, a Notary Public for the State of Idaho, residing at _____

personally appeared Faye Harshbarger and Clark Harshbarger
are
known to me to be the persons whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My commission expires 6-5

Clement D. Shuler
Notary Public
Residing at Idaho Falls, Idaho

* If fractional part of permit is to be assigned, the same fractional part of the land to which the assigned fraction is appurtenant should be shown.

270178

August 11, 1964

RE: Permit No. G-27017
Faye Harshbarger

Nielson & Nielson
Attorneys at Law
Burley, Idaho

Attention: A. H. Nielson

Dear Mr. Nielson:

Your letter of August 8, 1964 received. The Flying C Farms, Inc. by Clark Harshbarger assigned part of Permit No. G-27017 to Faye Harshbarger. The first assignment, dated November 13, 1958, was for 60 inches of water, and the second assignment, dated April 11, 1959, was for 20 inches of water, all from a well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 12 S., R. 22 E., B.M.

Separate depositions of completion of works and beneficial use of the water were made by Faye Harshbarger and by Flying C Farms, Inc.

The assignments were received from Mr. Norman Nielson and your office should have the record.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mx

27017

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

August 8, 1964

RECEIVED
AUG 11 1964
TELEPHONE
878-5574

Department of Reclamation

Mr. Ralph W. Thomas, Deputy
State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho 83701

Permit No. G-22355 - Faye Harshbarger
Re: Permit No. G-27017- Flying "C" Farms

Dear Mr. Thomas:

Would you refer to your letter of July 27, 1964, in regard to the
above matter.

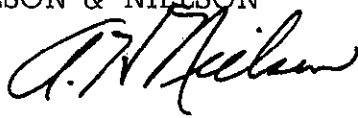
We can only find two permits, No. G-22355 to Faye Harshbarger
and Permit No. G-27017 to Flying "C" Farms.

We cannot find the Permit No. G-27017 to Faye Harshbarger. If
there is such a permit to said Faye Harshbarger, would you send
us a photocopy of the same?

Very truly yours,

NIELSON & NIELSON

By



A. H. Nielson

AHN:nw

27017

Application for Amendment

POINT OF DIVERSION

Permit No.

RECEIVED
JUL 27 1964

Department of Reclamation

Albert Anderson, one of the general partners in Anderson Bros.,

Comes now a co-partnership composed of Albert, Anderson, Vanness Anderson and Ray represent to the State Reclamation Engineer of the State of Idaho: Anderson

That he is (are) the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. _____.

That the point of diversion is described in said Permit as being located:
SW corner of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 13 South, Range 22, EBM, Cassia County, Ida.

That he now requests that the point of diversion be changed to a point located: SE corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, Township 13 South, Range 22, EBM

That the reason for desiring to make such change is as follows: That the well drilled at the first point of diversion now pumps only half as much water as it did at the time the well was put into use and it is necessary to drill a new well to supply water to the lands which the well in SW corner SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2 formerly provided.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Burley, Idaho, this 23rd day of July 1964

Anderson Bros
By Albert Anderson

Date of Receipt at Department Of Reclamation: _____

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. _____. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book _____ of
Permits, at Page _____

State Reclamation Engineer

_____, 19____

27017

RECEIVED
JUL 27 1964
Department of Reclamation

Department of Reclamation

That he is (are) the owner_ and holder_ of Permit to appropriate the Public Waters of the State of Idaho, No. _____.

[illegible]

located: ~~SIXXXXXXXXXXXXXXXX~~

That the reason for desiring to make such change is as follows:

Signed at Burley, Idaho, this 23rd day of July 1964

Anderson Bros.
By Albert Anderson

Date of Receipt at Department Of Reclamation:

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. _____. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book _____ of
Permits, at Page _____
_____, 19____

State Reclamation Engineer

27017

July 27, 1964

Re: Permit No. 21596 - Cancelled May 26, 1953
" " G-22355 - Faye Harshbarger
" " G-27017 - Flying "C" Farms

A. H. Nielson
Attorney at Law
P. O. Box 367
Burley, Idaho

Dear Mr. Nielson:

We received your letter of July 24th, in regard to various wells and well drilled by Anderson Brothers.

Permit No. 21596 was cancelled May 26, 1953.

Permit No. G-22355, Faye Harshbarger - well in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, certificates of water right will be issued upon receipt of fees totaling \$29.00, showing 3.2 c.f.s., priority September 4, 1951, for irrigation of 480 acres in E $\frac{1}{2}$, Sec. 13, T. 12 S., R. 22 E.; W $\frac{1}{2}$ E $\frac{1}{4}$, Sec. 18, T. 12 S., R. 23 E. Well production was measured at 3.66 c.f.s. on August 11, 1959. Amount of water above is amount claimed on the permit.

Permit No. G-27017, Flying "C" Farms, well in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, certificates of water right will be issued upon receipt of fees totaling \$29.00, showing 4.0 c.f.s., priority August 2, 1957, for irrigation of 480 acres in E $\frac{1}{2}$, Sec. 14; SW $\frac{1}{4}$, Sec. 13, T. 12 S., R. 22 E., B. M. Well production was measured at 6.0 c.f.s.

Permit No. G-27017, Faye Harshbarger, well in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, certificates of water right will be issued upon receipt of fees totaling \$13.00 showing 2.0 c.f.s., priority August 2, 1957, for irrigation of 160 acres in NW $\frac{1}{4}$, Sec. 13, T. 12 S., R. 22 E., B. M., August 2, 1957, for irrigation of 160 acres in NW $\frac{1}{4}$, Sec. 13, T. 12 S., R. 22 E.

Well #1, you mention in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 12 S., R. 22 E., has no recorded right and cannot be recognized by this office.

27017

July 27, 1964

Well No. 2, you mention in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 12 S., R. 22 E. can be licensed upon receipt of fees.

Well No. 3, you mention in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 12 S., R. 22 E., can be licensed upon receipt of fees.

Probably the new owner would prefer to have the water rights in his name and assignments of the permits should be filed in this office with the fees shown above, plus fee of \$0.50 for recording each assignment.

All permits mentioned above are past any additional works of diversion of water and no additional wells can be allowed.

Provided water licenses are issued under Permits No. G-22355 and G-27017 for 9.2 c.f.s. of water from the two wells, Form 20 application for transfer of water right may be processed to include an additional well for a total of 9.2 c.f.s. According to your letter that would mean 0.6 c.f.s. from well in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, T. 12 S., R. 23 E. That well appears to be at a low elevation for irrigation of the land described in the two permits.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

27017

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

July 24, 1964

TELEPHONE
678-5574

RECEIVED
JUL 27 1964

Department of Reclamation

Mr. Carl Tappin
State Reclamation Engineer
State of Idaho
Capital Building
Boise, Idaho

Dear Mr. Tappin:

I am writing this to you personally because Albert Anderson talked to you personally while in Boise on the 22nd day of July, 1964, about the Anderson Brothers water condition.

As you suggested, we have made application for an amended point of diversion. The one application is made because three of the wells operated by the Anderson Brothers have lost water, while they are being pumped there isn't sufficient water to irrigate the lands formerly watered by the wells. The old wells are still being pumped and Anderson Brothers would like to get what water is available from these wells and which is necessary to develop their crops in addition to the water from the new well.

The other application is for permission to drill a new well as explained in the letter of Granville Haight to your office.

No doubt there will be additional information your office will need before this permission is granted and we stand ready to furnish you with what information you need.

Very truly yours,

NIELSON & NIELSON

By *A. H. Nielson*

A. H. Nielson

AHN:nw

27017

October 26, 1959

Re: Permits No. G-22355 - G-27017
Paye Marshbarger
Flying C Farms

Flying "C" Farms
Burley, Idaho

Dear Mr. Marshbarger:

Enclosed are forms for amending the land list and for assigning a permit.

Mr. Humphrey reported you wanted all the water from the two wells, located SW $\frac{1}{4}$ Sec. 13 and SW $\frac{1}{4}$ Sec. 14 to cover the entire farm, being E $\frac{1}{2}$ Sec. 12; all Sec. 13, E $\frac{1}{2}$ Sec. 14, T. 12 S., R. 22 E. and Lots 1, 2, 3, 4, Sec. 18, T. 12 S., R. 23 E., total of 1200 acres.

Paye Marshbarger is the holder of Permit G-22355 and of 2.0 c.f.s. of the water of Permit G-27017. The Flying "C" Farms holds the balance of Permit G-27017, a total of 9.2 c.f.s. of water from the two wells.

One amendment to the land list for permit G-22355 is enclosed except for name of holder. Other amendments would be similar, depending upon any change in the name of the holder.

To an outsider it would seem preferable to have the water licenses all in one name though it is not necessary. The assignment form can be used to change the name of the holder, if you desire. As the names of the holder are now, three amendments to the land list are necessary. If assignment is made so there is one holder of Permit G-27017, only two amendments to the land list is necessary.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:ew

enc: amendments
assignments

27017

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

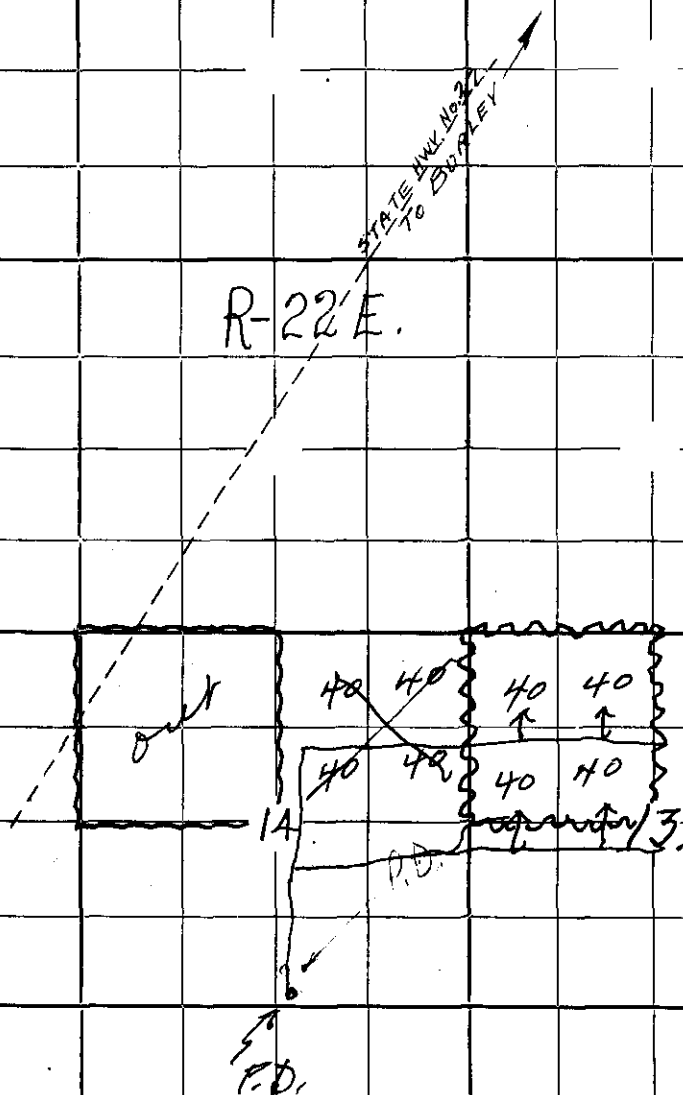
PERMIT NO. G-27017 (Part)

REPORT ON PROOF OF Completion of Works & Beneficial Use

Faye Harshbarger, Burley, Idaho

27017

T.
12
S.



Subdivisions = 4

Area = 160 acres.

Q = 100" or

2 cfs. full amt of
water transferred by
assignment

~~amount to include
all land 6-27011 + 6-27012~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-27017 (part)

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Faye Harshbarger
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14
T. 12 S R. 22 E.B.M. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: _____

5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: _____

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW $\frac{1}{4}$ Sec. 13., Twp. 12 S., Rge. 22 E.B.M.

*See other portion of same report
Only one well.*

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Clark Harshberger along

300" was measured thru sparkling water

This examination was made on the 11 day of Aug, 1959

(Signed)

E. N. Humphrey
Examiner.

27017

Faye Harshbarger
Burley, Idaho

Permit No. 9-27017 (Part)

Examination for Completion of works and beneficial use

County Cassia

Q = 7.17 c.f.s. (part)

S = Well

P.D. = SW. SE, Sec. 14, T. 12S. - R. 22E.

The = Irrigation

500 = 1 M. 255. 828.
500 = 1 M. 215.

Filed = Aug. 2, 1957

Due = Aug. 13, 1962

44 1/2" line - 1/4" pipe t.

h = 412'

no other right.

4.35 x 80 = demand

408 h.p.

Q = 300"

GT 400 h.p.

* SNJ 511104

8483 Wintrooth

12" d. into 14" d.
into cone basin to
open ditches

Cone base 9' x 14'
no protect.

large control panels
6' to west.

Westinghouse

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-27017

REPORT ON PROOF OF Completion of Works & Beneficial Use

Flying "C" Farms, Burley, Idaho (Part)

27017

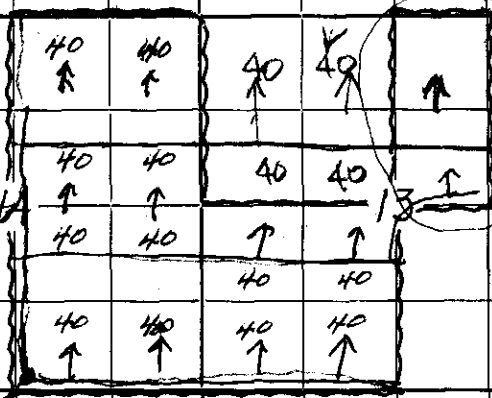
STATE HWY. NO. 21 - TO BORLEY

R-22E.

12

see other Report

T.
12
S.



30 sub.
12002
183"
300"
405

$Q = 300''$ thru Sparling

Faye Harshbarger

Flying "C"

sub - 4

Subdivisions = 12

16

Area - 160

Area = 480 acres.

640

$Q = 100$ or 200 cfs

$Q = 200''$ or

300

4 cfs.

6 CFS

see separate report

amend to include all land in C-24-5

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-27017

This proof is for Completion of Works and Beneficial Use In Water District No.

1. Name of applicant Flying "C" Farms
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11
T. 12 S R. 22 E.B.M. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: h = 41.2'
400 hp. G.F. Motor # SNT 511104
Wintcoatts Turbine 8493
12" del. in 14" O.D. into cons. basin. to field
by gravity.
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

E $\frac{1}{2}$ Sec. 11., SW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 13., all in Twp. 12 S., Rge. 22 E.B.M.

100" was assigned to H. Harchbarger for
NW $\frac{1}{4}$ of S. 13.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Mrs. H. along.

water thru Sparling Meter = 300"

See G-22355

This examination was made on the 11 day of Aug., 1959

(Signed)

E. N. Humphrey
Examiner.

27017

Clark Harshberger, President
Flying "C" Farms
Burley, Idaho
Permit No. G-27017

8 88³
A.M. (Part)

408 x 70 x 550
420762

Examination for Completion of Works & Beneficial Use

County Cassia

14-12S.-22E

Qr 7.15 c.p.s.

S = Well

P.D. = SW. SE, Sec. 14, T12S.-R. 22E.

20' x 700' Q = 7.15'4.

h = 386' 400 h₂

We = Irrigation

Filed = Aug. 12, 1957

Due = Aug. 13, 1962

no other rights

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Clark Harshberger, President
Flying "C" Farms
Burley, Idaho
Permit No. G-27017

8 58³
P.M. (Part)

408 x 70 x 550
420762

Examination for Completion of Works & Beneficial Use

County Cassia

14-12S.-22E

Q = 7.15 c.f.s.

S = Well

P.D. = SW. SE, Sec. 14, T12S.-R. 22E.

20' x 700' Q = 7.15 c.f.s.

h = 386' 400 h.p.

Use = Irrigation

Filed = Aug. 2, 1957

Due = Aug. 13, 1962

no other rights

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

July 2, 1959

RE: Permit No. G-27017 (Part)

Mrs. Faye Harshbarger
Burley, Idaho

Dear Mrs. Harshbarger:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Burley Herald, all submitted in proof of completion of works and beneficial use on Permit No. G-27017.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR

cc: Norman H. Nielson
Burley, Idaho

27017

June 25, 1959

RE: Permit No. G-27017 (Part)

Clark Harshbarger, President
Flying "C" Farms
Burley, Idaho

Dear Mr. Harshbarger:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Burley Herald, all submitted in proof of completion of works and beneficial use on Permit No. G-27017.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

138
254
EPR

27017

June 24, 1959

Re: Permit No. G-27017
Flying "C" Farms, Inc.

Nielson & Nielson
Attorneys at Law
Burley, Idaho

Attn: Norman H. Nielson

Dear Mr. Nielson:

We enclose the Application for Amendment to the
land list issued on Permit No. G-27017 to include the W¹/₄NE¹/₄,
Sec. 13, T. 12 S., R. 22 E., which has been recorded in this
office.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:ew
Enc. amendment
cc. Flying "C" Farms
Burley, Idaho

27017 27

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

JUN 1 5 1959

RECEIVED
JUN 2 1959

Department of Reclamation

Permit No. G-27017 (Rev)

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Flying "C" Farms, Burley, Idaho, Principal place of business,
Burley, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf. Said Pres. has authority to make deposition.

Ans. Flying "C" Farms, Inc., Principal place of business, Burley, Idaho.

Position of deponent making deposition is President of said Corp.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. G-27017, Date of permit is August 2, 1957, Date of priority
August 2, 1957.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source of water supply is the sub-terranean well located in the
Southwest quarter of the Southeast quarter of Section 14, Township 12, South,
Range 22, E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure. Pump discharges 7.15 cubic feet of water per second. **See Back.

Ans. The Diversion works consists of open ditches, the amount of water
that the main ditches are capable of conveying are 8 cubic feet per second.
That the well is 700 feet deep, that a 20 inch casing goes down 180 feet,
That an 18 inch casing goes down an additional 200 feet, the depth of the
the water is 386 feet, the pump that is installed in the well is a wintroth,
That the pump has a G. E. Motor with a 400 H. P. capacity,

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and is used to irrigate each and every
acre located in the Southwest quarter of Section 13, The East Half of Section
14, all in Township 12, South, Range 22, E. B. M. And the West Half of the
the Northeast quarter of Section 13, Township 12, South, Range 22, E. B. M.
That the land has been reclaimed from desert land and the nature of the
improvements that have been placed upon the property described in this
deposition is that a well has been drilled at a cost of \$8,000.00, that a
pump and motor has been installed in the said well at a cost of \$28,000.00.
That the land has been leveled at an approximate cost of \$25.00 per acre,
and that ditches have been constructed at an approximate cost \$700.00. THAT
all of the property described in this question has been irrigated.

27017

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. The minimum amount of water required is 7 cubic feet per second.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. That the water has been used during the cropping season of 1957, and 1958, and is being used during the cropping season of 1959.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. That there is no other water available to the lands described in this deposition, other than the water that is produced from the well described in this deposition.

(Sign)

By George C. Farnsworth
By Clark Farnsworth

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Burley, _____, County of Cassia,

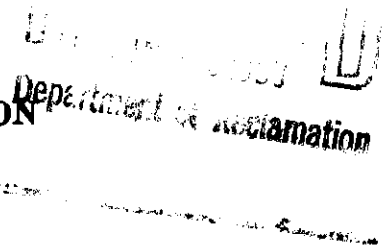
State of Idaho, on this 10th day of June, A. D. 1959.

Martin H. Farnsworth
Notary Public, Burley, Idaho

My commission expires May 12, 1962

** This was determined by the use of a weir.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-27017

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Herbert Neiwerth, Age 35 years, residence, Burley, Idaho, occupation, Farmer, Address, Route 2, Burley, Idaho.

Ques. 2. Are you acquainted with Flying "C" Farms, the holder of Permit No. G-27017? How long have you known him and where does he reside?

Ans. I have been acquainted with the Flying "C" Farms for approximately two years. The principal place of business of the Flying "C" Farms is at Burley, Cassia County, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-27017, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Source of water supply is a sub-terranean well, the place of diversion is the Southwest quarter of the Southeast quarter, of Section 14, Township 12, South, Range 22, E. B. M. That the works which carry the water from the point of diversion to the point of use are open ditches.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. That the open ditches are capable of conveying 8 cubic feet per second.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have observed the well described in this deposition produce 7.15 cubic feet per second. I measured this by comparison with other wells in the vicinity with a known amount of water being produced.

27017

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. ~~The water is used for irrigation and is used to irrigate the Southwest quarter of Section 13, the East Half of Section 14, all in Township 12, South, Range 22, E. B. M., and the West Half of the Northeast quarter of Section 13, Township 12, South, Range 22, E. B. M. That all of~~ the land described in this question 7 can be irrigated and no portion of land
Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. ~~The amount of water necessary for profitable cultivation is 5.15 cubic feet per second.~~

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. ~~I have no interest in the works water, or lands above mentioned whatsoever.~~

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. ~~I have worked on the property for a period of approximately two growing seasons and am well acquainted with the application of water to beneficial use and the land over which the water is used.~~

(Signed)

Herbert Heimert

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley, County of Cassia, State of Idaho, on this 10th day of June, A. D. 1959.

Harmon H. Hudson
Notary Public.

My commission expires May 12, 1962.

** is not susceptible to irrigation. That the land has been reclaimed from desert land, that the improvements that have been made on said land is the drilling of the well, installing of a pump, and motor, clearing of the said ground from brush, the leveling of said ground and the construction of the ditches on the said ground.

To Permit to appropriate the Public Waters
of the State of Idaho, No. G-27017

Department of Reclamation
RECEIVED
JUN 22 1959
Department of Reclamation

Comes now Flying "C" Farms, Inc., and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-27017, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

to include W¹ NE¹ Sec. 13 T. 12 S., R. 22 E. B.M.

making a total of Eighty (80) acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Burley, Idaho, this 19th day of June, 1959

Carl Gustafson

Date of receipt at office of Department of Reclamation June 22, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-27017. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

G. N. Carter

Recorded in Book of 27017 State Reclamation Engineer

June 17, 1959

Re: Permit G-27017
Faye Harshbarger
Flying "C" Farms

Nielson & Nielson
Attorneys at Law
Box 367
Burley, Idaho

Attn: Norman H. Nielson

Dear Mr. Nielson:

Enclosed are two sets of depositions of holders, witnesses and affidavits of publication in regard to Permit G-27017.

We would like to process these depositions as you requested however there are two details which must be cleared.

First, the Notary Public forgot to sign and affix his seal to all of the depositions.

Second, the amendment to the land list of land irrigated by the Flying "C" Farms, as requested in our letter of April 27, has not been received. An amendment to the land list to include the W¹/₄ Sec. 13, T. 12 S., R. 22 E. must be filed in this office before that land can be shown on the certificates of completion of work or the license and certificate of water right.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:ew
Enc. depositions (3)
affidavits (2)

27017 25

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 1 5 1959

Department of Reclamation
RECEIVED
Department of Reclamation

Permit No. G-27017

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Faye Harshbarger, Burley, Idaho, Occupation: Housewife,
Address: Burley, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. G-27017, date of permit, August 2, 1957, date of priority,
August 2, 1957.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source of water supply is a sub-terranean well, point of diversion
of said water is the Southwest quarter of the Southeast quarter of Section
14, Township 12, South, Range 22, E. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. The diversion works consists of open ditches and the water is conveyed
through these open ditches. The amount of water that the ditches are capable
of conveying from point of diversion to place of use is 8 cubic feet per
per second. The water is conducted by open ditches and they have no name.

That the well from which the water is produced under this proof of application
is a well which is 700 feet deep, that the well has a 20 inch casing which**

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use. see back

Ans. Water is used for irrigation and is used to irrigate the North west
quarter of Section 13, Township 12, South, Range 22, E. B. M. Each and
every acre in the Northwest quarter of Section 13 can be irrigated. That
the land has been reclaimed from desert land, that the land has been
leveled at a cost of \$25.00 per acre, ditches constructed on the said ground,
ground has been cleared from brush and has been placed in cultivation during
the past two years.

27017

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. Minimum amount of water required is 2 cubic feet per second.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. That two cubic feet per second of water of Permit No. G-27017 was assigned by the Flying "C" Corporation to this deponent.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. That 2 cubic feet per second on which proof is being made under this deposition has been applied to beneficial use during the cropping seasons of 1957, and 1958, and is being used at the present time on the crops of '59.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. There is no additional water available to the land described in this deposition other than the water produced from the well.

(Sign)

Wayne Harshbarger

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Burley, County of Cassia,

State of Idaho, on this 10th day of June, A. D. 1959.

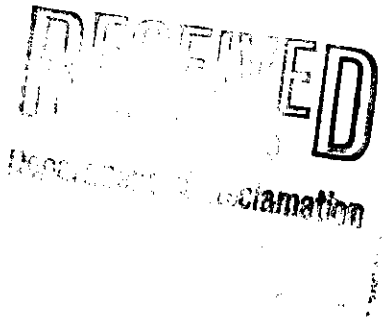
Harmon H. Johnston
Notary Public, Burley, Idaho

My commission expires May 12, 1962

** goes down 180 feet and an 18 inch casing that goes down 200 feet. The depth of the water is 386 feet. That a wintroth pump has been installed in the well and a G. E. Motor with a 400 H. P. capacity. The well produces 7.15 cubic feet per second of water. The amount of water this deponent is establishing under this proof to beneficial use is 2.0 cubic feet per second.

27017

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-27017

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Albert Anderson, Age: 51 years of age, Address: Oakley, Idaho,
Occupation: Farming, Address: Oakley, Idaho

Ques. 2. Are you acquainted with Flying "C" Farms, Inc., the holder of Permit No. G-27017? How long have you known him and where does he reside?

Ans. I have been acquainted with the Flying "C" Operation for
approximately two years.

Ques. 3. Have you read or heard read said Permit No. G-27017, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The Southwest quarter of the Southeast quarter of Section 14, Town-
ship 12, South, Range 22, E. B. M. The diversion works consists of open
ditches for conveying water from point of diversion to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Diversion works are capable of conveying 8 cubic feet per second.
I have observed this well producing approximately 7.15 cubic feet of water
Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?

Ans. _____

27017

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. ~~The water is used for irrigation and is used to irrigate the Southwest quarter of Section 13, and the East Half of Section 14, all in Township 12, South, Range 22, E. B. M. and the West Half of the Northeast quarter of Section 13, Township 12, South, Range 22, E. B. M. That the ground~~ has been reclaimed from desert land and that all of the land described in **

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. ~~The amount of water necessary for profitable cultivation is 5.15 cubic feet per second.~~

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. ~~I have no interest in the works, water, or lands above mention, whatsoever.~~

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. ~~I have worked on the property for a period of approximately two growing seasons and am well acquainted with the application of water to beneficial use and the land over which the water is used.~~

(Signed) _____

Albert Anderson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in _____ Burley _____, County of _____ Cassia _____, State of Idaho, on this 10th day of _____ June _____, A. D. 1959.

Harmon H. Nelson
Notary Public.

My commission expires: May 12, 1962

** this Question 7 can be irrigated. That the nature of the improvements that have been made is a direct result of the said use has been that the well have been drilled, the pump installed, the motor installed in the pump, that the land has been taken out of brush, has been leveled and ditches have been constructed.

27017

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 18 1939
Department of Reclamation

Permit No. G-27017

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Herbert Neiwerth, Age 35 years, residence, Burley, Idaho, occupation
Farmer, Address, Route, 2, Burley, Idaho.

Ques. 2. Are you acquainted with Faye Harshbarger, the
holder of Permit No. G-27017? How long have you known him and where does
he reside?

Ans. I have been acquainted with Faye Harshbarger for approximately
two years.

Ques. 3. Have you read or heard read said Permit No. G-27017, and are you
familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.

Ans. Source of water supply is a sub-terranean well, the place of
diversion is the Southwest quarter of the Southeast quarter, of Section
14, Township 12, South, Range 22, E. B. M. That the works which carry the
water from the point of diversion to the point of use are open ditches.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. That the open ditches are capable of conveying 8 cubic feet per
second.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?

Ans. I have observed the well described in this deposition produce
7.15 cubic feet per second. I measured this by comparison with other wells
in the vicinity with a known amount of water being produced.

27017

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used for irrigation and is used to irrigate the Northwest quarter of Section 13, Township 12, South, Range 22, E. B. M. All of the land in the Northwest quarter of Section 13, Township 12, South, Range 22, E. B. M. can be irrigated.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Under this permit the amount of water necessary for cultivation and irrigation of the said land is 2 cubic feet of water per second.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the water, or land, or works, in any way.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have worked on the land for a period of two years and am well acquainted with the application of water to beneficial use and over which area it covers.

(Signed)

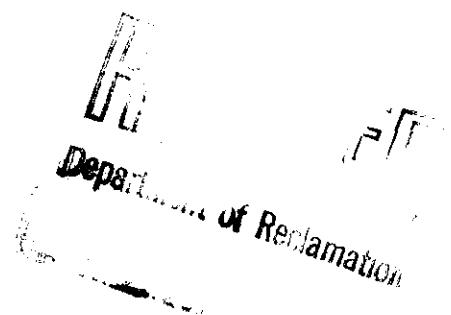
Herbert A. Smith

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley, County of Cassia, State of Idaho, on this 10th day of June, A. D. 1959.

Harmon H. Nelson
Notary Public.

My commission expires May 12, 1962

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-27017

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Albert Anderson, Age 51 years, residence, Oakley, Idaho, occupation
Farming, P. O. Address: Oakley, Idaho

Ques. 2. Are you acquainted with Faye Harshbarger, the
holder of Permit No. G-27017? How long have you known him and where does
he reside?

Ans. I have been acquainted with Faye Harshbarger for approximately
two years.

Ques. 3. Have you read or heard read said Permit No. G-27017, and are you
familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for con-
veying water from point of diversion to place of use.

Ans. Source of water supply is a sub-terranean well, the place of
diversion is the Southwest quarter of the Southeast quarter, of
Section 14, Township 12, South, Range 22, E. B. M. That the works which
carry the water from the point of diversion to the point of use are open
ditches.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. That the open ditches are capable of conveying 8 cubic feet per
second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons
per minute have you seen the pump deliver, and how did you measure or estimate the
amount?

Ans. I have observed the well described in this deposition produce
7.15 cubic feet per second. I measured this by comparison with other
wells in the vicinity with a known amount of water being produced.

27017

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used for irrigation and is used to irrigate the Northwest quarter of Section 13, Township 12, South, Range 22, E. B. M. All of the land in the Northwest quarter of Section 13, Township 12, South, Range 22, E. B. M. can be irrigated.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Under this permit the amount of water necessary for cultivation and irrigation of the said land is 2 cubic feet of water per second.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the water, or land, or works, in any way.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have worked on the land for a period of two years and am well acquainted with the application of water to beneficial use and over which area it covers.

(Signed) Albert Anderson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley, County of Cassia, State of Idaho, on this 10th day of June, A. D. 1959

Harmon H. Huber
Notary Public.

My commission expires May 12, 1962

27017

JUN 15 1959
Department of Reclamation

AFFIDAVIT

COMES NOW, Norman H. Nielson, a Notary Public in and for the State of Idaho, and alleges as follows:

That on the 29th day of May, 1959, that this affiant's office was open all day on that day, which is the day that the Proof was to be submitted on Permit No. G-27017, for the Flying "C" Farms, Inc. and Faye Harshbarger.

That on that day no protests were lodged with this affiant on the Completion of Works and the Proof of Application of Water to Beneficial Use, under Permit No. G-27017.

That because of the conditions of planting and the inability to secure witnesses, proof was not made on the 29th day of May, 1959, but was made on the day set out in the Proof of Application of Water for Beneficial Use.

DATED This 10th day of June, 1959.

Norman H. Nielson

Subscribed and sworn to before me this 10th day of June, 1959.

Edo Pearce
Notary Public in and for the State of Idaho
Residing at Burley, Idaho

(SEAL)

My commission expires

Jan 22, 1960

27017

RECLAMATION OF WORKS
DIVERSION OF WATER
FOR BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 26th day of May, 1959, at Burley, County of Cassia, State of Idaho, before James H. Caldwell, Notary Public, at Burley, Cassia County, Idaho, proof will be submitted of the completion of works for the diversion of 7.15 cubic feet per second of underground water from a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. C-37717 Part heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Faye Harshbarger, under an assignment from Flying C Farms, Inc., for 2 second ft. of water.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 7.15 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 7.15 cubic feet per second.

4. The point of diversion of said water is SW 1/4 of the SE 1/4 of Sec. 14, Twp. 12 So. Rge. 22, E.B.M.

5. The place where said water is used is NW 1/4 of Sec. 13, Twp. 12 So. Rge. 22, E.B.M.

6. The date of priority which said user is prepared to establish is August 2, 1957.

James H. Caldwell
State Notary Public
Published in the Burley Bulletin,
May 5-12-19-26, 1959.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

RECORDED
JUN 15 1959

.....Carl Jones....., Deponent, duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stertyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for ...four... consecutive weeks, commencing with the issue dated May 5..., 19.59., and ending with the issue dated May 26, 19.59..

.....Carl Jones.....
Subscribed and sworn to before me this 26th day of May, 1959.

Hazel K. Brodalf.....
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.
My Commission Expires June 4, 1959

27017

NOTICE OF PROOF OF
COMPLETION OF WORKS
and

APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M., on the 29th day of May, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, at Burley, Cassia County, Idaho, proof will be submitted of the completion of works for the diversion of 7.15 cubic feet per second of underground water from a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27017 Part heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Faye Harshbarger, under an assignment from Flying C Farms, Inc., for 2 second ft. of water.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2.0 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 14, Twp. 12 So. Rge. 22, E.B.M.

5. The place where said water is used is NW $\frac{1}{4}$ of Sec. 13, Twp. 12 So. Rge. 22, E.B.M.

6. The date of priority which said user is prepared to establish is August 2, 1957.

GEO. N. CARTER

State Reclamation Engineer

Published in the Burley Bulletin,
May 5-12-19-26, 1959.

Affidavit of Publication.

The Burley Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

I, Norman H. Nielson, being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for seventy-eight consecutive weeks, commencing with the issue dated May 5, 1959, and ending with the issue dated May 26, 1959.

Subscribed and sworn to before me this 29th day of May, 1959.

Norman H. Nielson
Notary Public in and for the State of Idaho,

Residing at Burley, Idaho.

My Commission Expires June 4, 1959

27017

NOTICE OF PROGRESS OF
COMPLETION OF WORKS
APPLICANT: FARMERS
TO: THE STATE OF IDAHO
Notice is hereby given that at
10:00 A.M. on the 26th day of
May, 1959, at Burley, County of
Cassia, State of Idaho, Norman
H. [redacted] County Public,
proof will be submitted of the
completion of works for the diver-
sion of 8 cubic feet per second
of underground waters from a
well, and of the diversion to
beneficial use of said water, in
accordance with the terms and
conditions of the permit 27017
(part) issued by the
Department of Reclamation of the
State of Idaho.
1. The name and postoffice ad-
dress of the person or corporation
holding said right is [redacted] Farms,
Inc. 2 cubic feet per second of the
water of this [redacted] permit
has been assigned to [redacted] Wash-
burner.
2. Said works of diversion will
be fully completed on the date set
for such completion, and the
amount of water which said works
are capable of conveying to the
place of use is 8 cubic feet per
second.
3. The person to whom said water
has been assigned for irrigation pur-
poses, and to whom applied to
beneficial use is [redacted] cubic feet
per second.
4. The point of diversion of said
water is SW 1/4 Sec. 14,
Twp. 12 So. Rge. 22, E.M.
5. The place where said water is
used is SW 1/4 of Sec. 13 and E 1/4
of Section 14, all in Twp. 12 So.,
Rge. 22, E.B.M. W 1/2 of the NE 1/4
Sec. 12 T 12 S Range 22, E.B.M.
6. The date of project which
said user is prepared to establish
is August 2, 1957.
GEO. N. CARTER
State Reclamation Engineer
Published in the Burley Bulletin,
May 14, 1959, page 2.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

Department of Reclamation

.....Carl Jones....., first being duly sworn, deposes and
says: That he is the printer of The Burley Herald and/or The Burley Bulletin,
a weekly newspaper published at Burley, in the County of Cassia, State of Idaho;
that the said newspaper has a general circulation in said county, and that the said
newspaper is published weekly and has been continuously and uninterruptedly published
in said county, not less frequently than once a week, during a period of seventy-eight
consecutive weeks immediately prior to the first publication of the printed notice herein
referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general
circulation, made up of at least four pages of at least five columns each, printed from
typed matter or stereotyped forms of at least seventeen and three-fourths inches depth,
and during the whole of said time has had at least two hundred bona-fide subscribers
living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published
according to law, in the regular weekly editions of the said newspaper and not in any
supplement thereof, for ..four... consecutive weeks, commencing with the issue
dated ..May..5... 19..59., and ending with the issue dated ..May..26, 19...59.

.....Carl Jones.....
Subscribed and sworn to before me this 26th day of May, 1959
.....Hazel H. Woodall.....
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.
My Commission Expires June 4, 1969

27017

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

Notice is hereby given that at 10:00 A.M., on the 29th day of May, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nielson, Notary Public, proof will be submitted of the completion of works for the diversion of 7.15 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27917 (part) heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said Flying "C" Farms, Inc. 2 cubic feet per second of the water of this permit are permit has been assigned to Faye Harshbarger.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 5.15 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 14, Twp. 12 So. Rge. 22, E.B.M.

5. The place where said water is used is SW $\frac{1}{4}$ of Sec. 13 and E $\frac{1}{2}$ of Section 14, all in Twp. 12 So., Rge. 22, E.B.M. W $\frac{1}{2}$ of the NE $\frac{1}{4}$ Sec. 13 T 12 S Range 22, E.B.M.

6. The date of priority which said user is prepared to establish is August 2, 1957.

GEO. N. CARTER
State Reclamation Engineer
Published in the Burley Bulletin,
May 5-12-19-26, 1959.

..... first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for consecutive weeks, commencing with the issue dated 19....., and ending with the issue dated 19.....

.....
Subscribed and sworn to before me this day of 19.....

.....
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.
My Commission Expires June 4, 1959

27017

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

June 11, 1959

RECEIVED
JUN 15 1959
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Dear Sir:

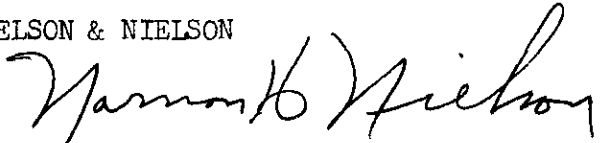
Enclosed you will find the Proof of Application of Water to Beneficial Use under Permit No. G-27017, together with my Affidavit.

Would you please process these dispositions.

Very truly yours,

NIELSON & NIELSON

By


Norman H. Nielson

NHN:db

Encls.

27017

THE BURLEY

HERALD-BULLETIN

PUBLISHED BY THE MIST PUBLISHING COMPANY

RECEIVED
APR 30 1959

Department of Reclamation

Cassia County's Best Advertising Medium

★ HIGH QUALITY PHOTO-OFFSET AND LETTERPRESS PRINTING

BURLEY, IDAHO

April 29, 1959

Mr. George N. Carter,
State Reclamation Engineer
Dept. of Reclamation,

Boise, Idaho

Dear Sir:

We have received the two legal notices No. G-27017^{part} for Faye Harshbarger and No. G-27017 (part) for Flying "C" Farms Inc. which we have marked to appear in the Burley Bulletin, May 5-12-19-26.

Very truly yours,

The Burley Herald-Bulletin

By

Mrs. Hazel G. Woodall

Hazel G. Woodall
Associate Editor

27017

April 27, 1959

Re: Permit G-27017
Flying "C" Farms, Inc.

Nielson & Nielson
Attorneys at Law
Burley, Idaho

Attn: Norman H. Nielson

Dear Mr. Nielson:

We can accept the legal notice of proof of completion of works and beneficial use of water provided the enclosed amendment to the land list is signed and returned to this office.

The W¹/₄NE¹/₄, Sec. 13, T. 12 S., R. 22 E., B. M. was not included on the original permit and there has not been any amendments to the land list.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

RT:EPR:ew

27017

April 27, 1959

Re: Permit No. G-27017

Nielson & Nielson
Attorneys At Law
P. O. Box 367
Burley, Idaho

Attention: Norman H. Nielson

Dear Mr. Nielson:

This acknowledges the Notices of ^{Proof} of Completion of Works and Application of Water to Beneficial Use on Permit No. G-27017. Final proofs are to be made before you, as Notary, on the 29th of May, 1959, at Burley, Idaho, at 10:00 A.M.

As of this date we have mailed the Notices to the Burley Herald Bulletin, with instructions to publish it once a week for four consecutive weeks prior to that date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions (Holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

RALPH THOMAS
Office Engineer

RT/lw
Encls. (6)
cc: Flying "C" Farms, Inc.
Burley, Idaho

27017

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Date: April 27, 1959

Re: Permit No. G-27017 (part)

Burley Herald Bulletin
Burley, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **May 29, 1959** the date set for proof;

the expense of the publication is to be paid by the applicant's Attorney

Nielson & Nielson

of P. O. Box 367, Burley, Idaho

Attention: **Norman H. Nielson**

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

State Reclamation Engineer

By

Ralph W. Thomas

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

27017

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-27017 (part)

Date: April 27, 1959

Burley Herald Bulletin
Burley, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **May 29, 1959** the date set for proof;

the expense of the publication is to be paid by the applicant's Attorney

Nielson & Nielson

Attention: **Norman H. Nielson**

of P. O. Box 367, Burley, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

State Reclamation Engineer
By

Ralph W. Thomas

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

27017

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

RECEIVED
APR 24 1959
Department of Reclamation

April 23, 1959

Department of Reclamation
State House
Boise, Idaho

Gentlemen:-

Enclosed you will find two notices of proof and completion of works under permit G-27017.

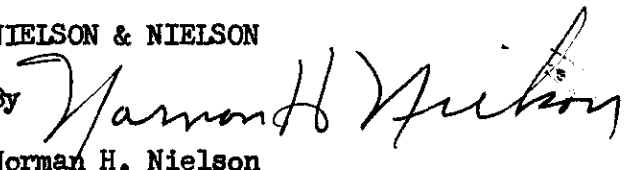
One is for Faye Harshbarger who has been assigned two second feet of water under G-27017, and the other one is for the proof under the permit in the name of Flying "C" Farms, who is the original holder of the entire permit.

I have left the date blank in May. If you desire to set this any time the last week in May would be agreeable with me.

Very truly yours,

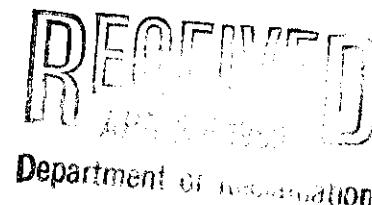
NIELSON & NIELSON

By


Norman H. Nielson

NHN:zm
encls.

27017



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Burley Herald Bulletinn of Burley, Idaho published in
the county in which the works are situated.

W. H. H. H.
Faye Harshbarger

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

27017

RECEIVED
APR 24 1969
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Burley Herald Bulletin of Burley, Idaho published in

the county in which the works are situated Cassia Co.

Alvin C. Evans
By Clark Bantayan

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

27017

RECEIVED
APR 24 1959
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00A M., on the 29th day of May, 1959, at Burley, County of Cassia, State of Idaho, before Norman H. Nelson, Notary Public, at (address) Burley Cassia County, Idaho, proof will be submitted of the completion of works for the diversion of 7.15 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27017 ^(Part) heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Faye Marshbarger, under an assignment from Flying C Farms, Inc. for 2 second ft. of water.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8 cubic feet per second.

3. The use to which said water has been applied is _____

2 irrigation purposes, and the amount applied to beneficial use is 2.0 cubic feet per second.

4. The point of diversion of said water is ~~Subterranean well located in~~ the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 14, Township 12 South, Range 22, E.B.M.

5. The place where said water is used is NW $\frac{1}{4}$ of Sec. 13, Township 12 South, Range 22, E.B.M.

6. The date of priority which said user is prepared to establish is 2 August, 1957.

State Reclamation Engineer

270175

RECEIVED
APR 24 1959
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on the 29th
day of May, 19 59, at Burley, County of
Cassia, State of Idaho, before Norman H. Nielson
Notary Public, proof will be submitted of the completion of
works for the diversion of 7.15 cubic feet per second of underground waters
from a well, and of the application to beneficial use of said water, in accordance
with the terms and conditions of Permit No. G-27017 (Part) heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said
Flying "C" Farms, Inc. 2 cubic feet per second of the water of this
permit are permit has been assigned to Faye Harshbarger.

2. Said works of diversion will be fully completed on the date set for such
completion, and the amount of water which said works are capable of conveying to
the place of use is 8 cubic feet per second.

3. The use to which said water has been applied is irrigation
purposes, and the amount applied to beneficial use is
5.15 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 14, Township
12 South, Range 22, E.B.M.
Back of the Bitter Meridian.

5. The place where said water is used is SW $\frac{1}{4}$ of Sec. 13 and E $\frac{1}{4}$ of
Section 14, all in township T12 South, Range 22, E.B.M.

2. NW $\frac{1}{2}$ of the NE $\frac{1}{4}$ Sec 13 T12S Range 22
E.B.M.

6. The date of priority which said user is prepared to establish is
August 13, 1957.

State Reclamation Engineer

27017 R⁵

April 17, 1959

Re: Permit No. G-22355 - Flying C Farms
G-27017 - " " "

Mr. Norman H. Nielsen
Nielsen and Nielsen
Attorneys at Law
P. O. Box 367, Burley, Ida.

Dear Mr. Nielsen:

Enclosed you will find the assignment of 20 miner's inches of water from the Flying C. Farms, Inc. to Faye Harshbarger under Permit No. G-27017, which has been recorded in this office.

Also enclosed is Application for Amendment to the land list on Permit No. G-22355 which has been recorded in this office.

The fees for an assignment are \$0.50 for recording. There are no fees for amendments. The certified copy of assignment to the Bureau of Land Management will be \$1.00, making total fees of \$1.50.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
G
By:

Chief Clerk

EPR:EW
Enc. 3

27017

April 17, 1959

Re: Permit G-27017 - Flying C. Farms

Bureau of Land Management
P. O. Box 2237
Boise, Idaho

Gentlemen:

Enclosed is a certified copy of an assignment on
Permit G-27017 from the Flying C. Farms to Faye Harshbarger,
for 20 inches of water from a certain well located in the
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 12 S., R. 22 E. B. M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Chief Clerk

EPR:ew

Enc.

cc: Norman H. Nielson
Attorney

27017 RT

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 387
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

April 11, 1959

RECEIVED
BUREAU OF RECLAMATION
BOISE, IDAHO

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Enclosed you will find an assignment of 20 miner's inches of water from the Flying C Farms Inc. under permit No. G-27017 to Faye Harshbarger. This 20 inches of water is assigned from the Flying C Farms to the Northwest Quarter of Section 13, Township 12 South, Range 22, E.B.M.

Would you please file this in your office and certify a copy of the same and send the certified copy to the Bureau of Land Management, P.O. Box 2237, Boise, Idaho.

Also enclosed you will find an application for amendment to amend permit no. G-22355. This application for amendment requests that the lists of lands to be irrigated by said permit be changed as set out in this application. Would you please process the same?

You could send us your statement for any costs that may be involved in this matter. Thank you!

Very truly yours,

NIELSON & NIELSON

By

Norman H. Nielson

Norman H. Nielson

NHN/ord

Encl.

27017

December 10, 1958

Re: Permit No. 27017
Flying C Farms, Inc.
Faye Harshbarger

Mr. Norman H. Nielson
Nielson & Nielson
Attorneys And Counselors At Law
P. O. Box 367
Burley, Idaho

Dear Mr. Nielson:

Enclosed is the Assignment to Faye Harshbarger as same is recorded in the Department of Reclamation as assignment of 80 inches of water of Permit No. G-27017 and amendment to land list to include the NW $\frac{1}{4}$ of Section 13, Township 12 South, Range 22 East, BM. Also, departmental receipt #G-3739 for recording fee.

The amendment to the land list originally submitted along with the assignment is missing from our files and had not been recorded.

Kindly return the amendment if it was sent to you along with the assignment which required notarial seal. Make a new amendment on our form, enclosed, in case the amendment was not returned to you and if the amendment was for more additional land than the NW $\frac{1}{4}$ of Section 13, Township 12 South, Range 22 East, BM.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

27017

December 4, 1958

Re: Permit No. G-27017

Mr. Norman H. Nielson
Nielson & Nielson
Attorneys And Counselors At Law
P. O. Box 367
Burley, Idaho

Dear Mr. Nielson:

It is necessary that you affix your notary seal on the enclosed
assignment before it can be approved for recording.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc. Assignment

27017 RT

165-111-520

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

December 2, 1958

RECEIVED
DEC 4 1958
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

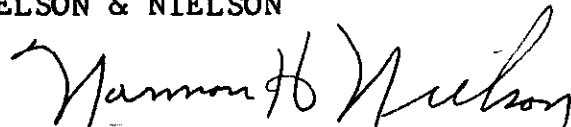
Gentlemen:

Enclosed you will find the assignment of water under permit No. G-27017 between the Flying C Farms and Faye Harshbarger. The Notary Public has been completed and is being returned to you with our check for the amount of \$.50 for recording the asssignment.

Very truly yours,

NIELSON & NIELSON

By


Norman H. Nielson

NHN/ord

Encl.

27017

Comes now, Clark Harshbarger, the Vice-President of Flying C Farms, an Idaho corporation, organized and existing under the laws of the State of Idaho, and for and on behalf of the corporation known as Flying C Farms, does hereby assign to Fave Harshbarger, 80 inches of water from that certain well located in the Southwest Quarter of the Southeast Quarter of Section 14, Township 12 South, Range 22, E. B. M. / This well produces approximately 380 inches of water, which water is used to irrigate lands other than that to which this assignment is made. That the land to which the 80 inches is assigned from Flying C Farms Inc., is the Northwest Quarter of Section 13, Township 12 South, Range 22, E. B. M.

IN WITNESS WHEREOF, Flying C Farms has caused its corporate name to be hereunto subscribed by its Vice-President and its corporate seal to be affixed by its Secretary-Treasurer this 13th day of November, 1958.

FLYING C FARMS, INC,
an Idaho corporation,

(SEAL)

By Clark Harshbarger
Its Vice-President.

ATTEST:

Fave Harshbarger
Secretary-Treasurer

27017

STATE OF IDAHO)
 :
County of Cassia) ss:

On this 13 day of November, 1958, before me, the undersigned, a Notary Public in and for said State, personally appeared CLARK HARSHBARGER, and EYE HARSHBARGER, known to me to be the Vice-President and Secretary-Treasurer of the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

My commission expires:

May 12, 1962

Norman H. Nelson
Notary Public in and for Idaho,
Residing at Burley, therein.

ASSIGNMENT & AMENDMENT TO LAND LIST

Received and filed for record in the
Department of Reclamation - Dec. 4, 1958
in Book 95 of Permits at Page 27017.

GEO. N. CARTER
State Reclamation Engineer

27017

November 28, 1958

Re: Permit No. G-27017

Mr. Norman H. Nielson
Attorney At Law
Burley, Idaho

Dear Mr. Nielson:

The amount of subterranean water claimed under Permit No. G-27017 is 7.15 cubic feet per second or 357.5 miners inches. Nothing over that amount could be licensed under this permit. Another application for permit could be filed for an additional amount of water from the same well.

The assignment is enclosed for notary public completion. Amendments do not require the notary public seal. There is a fifty cent recording fee for each assignment, which you may remit when returning the assignment to this department.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Office Engineer

RWT/lw
Enclosures

27017

August 19, 1957

Re: Permit No. G-27017

Flying C. Farms, Inc.,
Burley, Idaho

Attention: Clark Harshbarger

Dear Mr. Harshbarger:

We enclose Permit No. G-27017 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

You will note that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

We also enclose departmental receipt No. G-2812 which was issued covering payment in the amount of \$6.75 for the filing fee of the above mentioned permit.

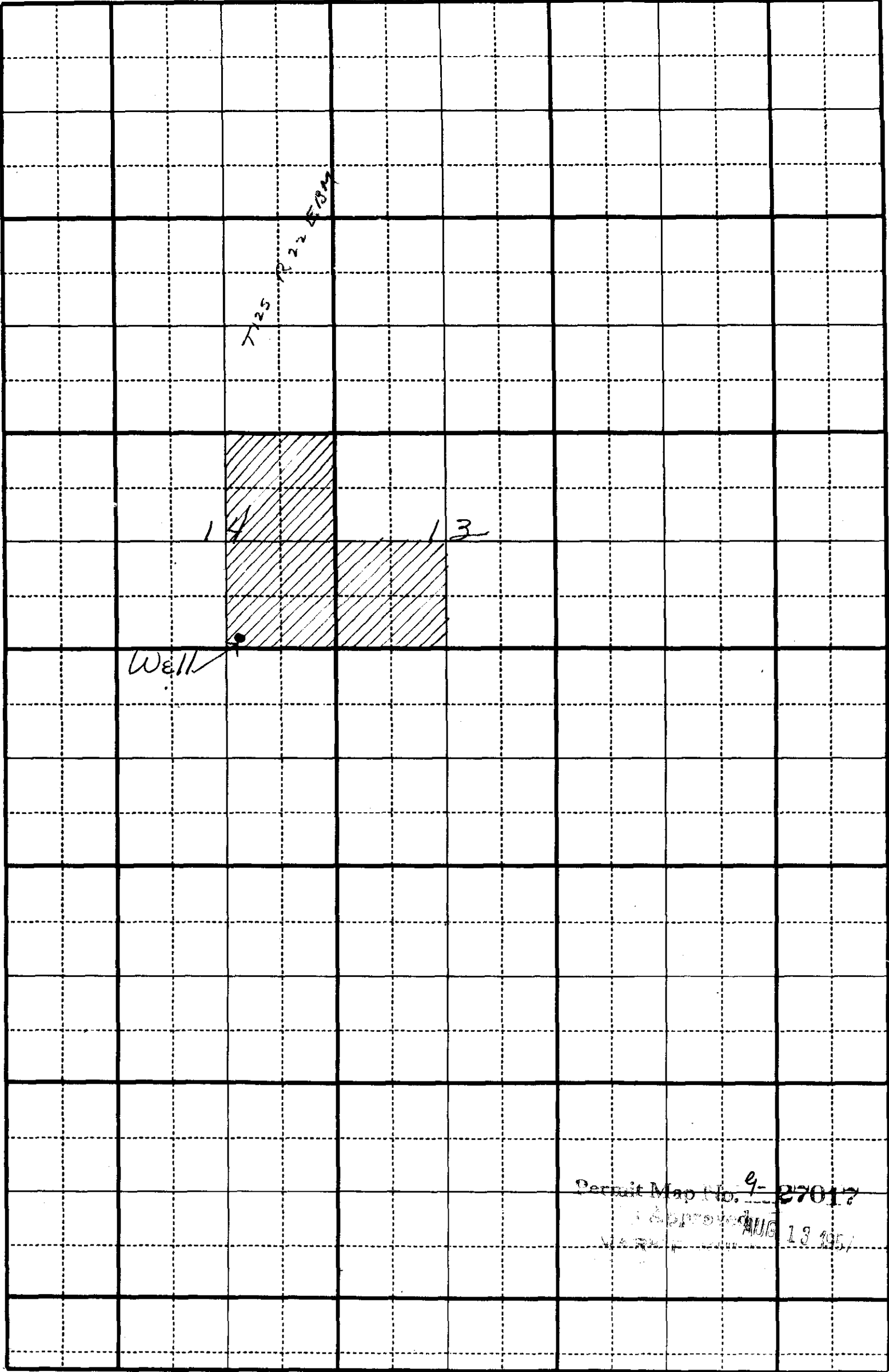
Very truly yours,

MARK R. RUFF
State Reclamation Engineer
By

Chief Clerk

MR:lw
Encls.

27017



Permit Map No. 9-27017
Approved AUG 13 1957

January 3, 1968

Mr. A. H. Nielson
Attorney at Law
Box 367
Burley, Idaho 83318

Dear Mr. Nielson:

I will be happy to meet with you and representatives
of the Anderson Brothers, and Anderson and Martin on Friday, January
5th, at the time you suggest.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:ew

T-1042
45-2552

NIELSON, NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO 83318

ADONIS H. NIELSON
NORMAN H. NIELSON
GORDON S. NIELSON

AREA CODE 208
TELEPHONE 678-5574

December 29, 1967

RECEIVED

JAN 2 1968

Department of Reclamation

R. Keith Higginson
State Reclamation Engineer
State of Idaho
107 State House
Boise, Idaho 83701

Re: Anderson Bros., Oakley, Idaho
Anderson & Martin, Oakley, Idaho

Dear Mr. Higginson:

In the above matter, would it be possible to have a conference with you at 10:30 a.m. on Friday, January 5, 1968?

We had an appointment set up but, because of difficulties with the weather, we were unable to attend. We believe we can get this matter straightened out at this conference.

If you cannot see us at that time, would you set up several dates when you can see us? We would like to get the matter settled so plans can be made for the 1968 cropping season.

Kindest personal regards for a Prosperous New Year.

Very truly yours,

NIELSON, NIELSON & NIELSON



A. H. Nielson

AHN:nw

T-1042

45-2552

See Plat in G-27017

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

October 30, 1967

Mr. A. H. Nielson
Nielson & Nielson
Attorneys at Law
Burley, Idaho

Dear Mr. Nielson:

As I promised in our recent phone conversation, I am forwarding to you details relating to the water rights on file in the name of Anderson Brothers, around Section 7, T. 12 S., R. 23 E. You will recall that this is the site of a well that was drilled in the Critical Ground Water Area without a permit.

By transfer two rights were combined and this well has been authorized as one of 3 points of diversion under the 2 rights. The enclosed plat perhaps will help to illustrate the rights as we understand them.

The well in question in Section 7 is located by the red dot as close as we can tell. Section 7 and all of the sections in this tier are only a half mile wide and this leads to confusion in land descriptions. The rights that were combined by the transfer are evidenced by licenses and permits Nos. G-27017 and G-22355. On the plat I have indicated in green the areas that were originally licensed to be irrigated under Permit G-27017. The well produced 6.0 c.f.s. and is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 12 S., R. 22 E. The water was used for the irrigation of 640 acres. The land licensed under G-22355 is indicated in red. This license allows for the diversion of 3.2 c.f.s. of water from a well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 12 S., R. 22 E., to irrigate 480 acres. The transfer application provides for the irrigation of all of the land inside of the irregular blue line from all 3 wells. The production from the 3 wells is not to exceed 9.2 c.f.s. It is our understanding that the 3 wells may produce as much as 11.0 c.f.s.

Earlier this year in our meeting here in the office, Mr. Anderson stated that he might wish to transfer a portion of a water right, established 15 years or more ago, from a well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 12 S. R. 22 E. Mr. Anderson did not give the total amount of acres that this well might have irrigated, but indicated at one time the production was around 3.2 c.f.s. Right to the use of water from this well could be placed on record

T-1042

45-2552

Page 2 - Continued - A. H. Nielson

by filing of a claim in our office and I have enclosed several claim forms for your files.

You indicated that there are two other rights which might be involved in some future transfer. It has been stated that production of water has declined since the establishing of the rights associated with a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 13 S., R. 22 E. The first, License and Permit No. 21766, I have indicated in orange, and it is licensed for 3.0 second feet to irrigate 150 acres. The second Permit and License, which is in blue, has been given the No. 21767, and is for 2.2 second feet to irrigate 110 acres.

You will find also enclosed a copy of a well log for the well drilled in Section 7. You indicated that there is a feeling by your client that the water is coming from a source different from the water in other wells in the Critical Ground-Water Area. The earth material encountered and the water levels observed are what would be expected in this locality from what we have learned from other well logs and know of the hydrology of the area. We would be happy to discuss this point with you in the future.

Very briefly, I would like to mention another item we discussed over the phone. There has been action recently on a water application in the name of Matthew Brothers that may be of interest to you or your clients. They purchased a permit that has not been developed from Mr. Grover Ward to drill a well in the canyon above the new well of the North Oakly Water Company. They had attempted to amend that permit to allow the diversion of this water from two wells, many miles to the north, one existing, and one to be drilled. The existing well is owned and operated by Anderson-Martin Farms and has been the subject of our previous correspondence. Because of the hydrology of the area and the distance involved this amendment has been denied. If there is additional information concerning this you may need, please feel free to call on us.

Following my recent letter about the water rights on the Anderson-Martin Farms we received a phone call from Mr. Anderson. He ask if we would give him an opportunity to go over the use of water in the field. We have agreed to do this and expect to visit both the land included in the Anderson-Martin Farms and the Anderson farm around Section 7. We are intending to do this on the afternoon of the 14th, or the morning of the 15th of November. We will firm up the exact time as our plans for that week become more definite.

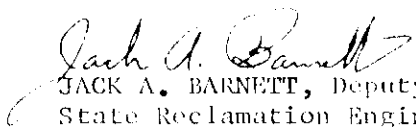
T-1042

45-2552

Page 3 - A. H. Nielson

Therefore the deadline in our last letter before we intended to act on some of these matters is extended . Anderson Brothers have been sent a copy of this letter for their files.

Very truly yours,


JACK A. BARNETT, Deputy
State Reclamation Engineer

JAB:ew

cc: Anderson & Martin
Oakley, Idaho

T-1043
45-2552

March 15, 1965

Re: Transfer of Water Right
No. 1042
Anderson Brothers

Mr. A. H. Nielson,
Attorney at Law,
P. O. Box 367,
Burley, Idaho.

Dear Mr. Nielson:

We enclose Certificate of Transfer of Water Right
No. 1042, together with Departmental Receipt No. G-9156,
which was issued covering payment in the amount of \$1.00
for the recording fee of the above mentioned transfer.

Also enclosed is a copy of the Certificate for
your files.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

Encl. - Certificate
Receipt
RWH:pmk
cc:Anderson Brothers
25 Van Engelen Drive
Burley, Idaho

T-1042

45-2552

C
O
P
Y

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Anderson Brothers)
of)
25 Van Engelen Drive)
Burley, Idaho,)

ORDER GRANTING TRANSFER

NO. 1042

For a Transfer of Water Right)
in the County of Cassia, State)
of Idaho)

WHEREAS, On the 2nd day of February, 1965, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of the Anderson Brothers of 25 Van Engelen Drive, Burley, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and;

WHEREAS, NO protest has been filed against the application, and the evidence filed by the applicant with the application shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 15th day of March, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

T-1042

45-2552

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

TRANSFER OF WATER RIGHT
TRANSFERRED RIGHT NO. 1042

THIS IS TO CERTIFY, That the Anderson Brothers, a co-partnership, of 25 Van Engelen Drive, Burley, Idaho, are the owners of and using a certain water right of 9.2 cubic feet per second of the waters of subterranean source, said water being obtained by virtue of License No. G-27017 and License No. G-22355, with priority as follows:

	<u>Issued</u>	<u>Priority</u>	<u>Amount</u>
License No. G-27017	September 23, 1964	August 2, 1957	6.0 c.f.s.
License No. G-22355	September 23, 1964	September 4, 1951	3.2 c.f.s.

for the purpose of irrigating the following described lands situate, lying and being in the County of Cassia, State of Idaho, to-wit:

All Section 13; E $\frac{1}{2}$, Section 14,
Township 12 South, Range 22 E.B.M.,
Lots 1, 2, 3 & 4, Section 18,
Township 12 South, Range 23 E. B. M.,

That said licenses have been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 13 of Licenses at Pages 8000 and 8001;

And that the Anderson Brothers have become the owners of said right by purchase;

And that now, upon the application of Anderson Brothers for the transfer of 9.2 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 9.2 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

All Section 13; E $\frac{1}{2}$, Section 14; NE $\frac{1}{4}$
Section 12, Township 12 South, Range 22
E.B.M., E $\frac{1}{2}$ Section 18; W $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$, Sec-
tion 7, Township 12 South, Range 23
E.B.M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

9.2 cubic feet per second of the waters
of subterranean source with priority as
follows: 6.0 cubic feet per second,
priority August 2, 1957; 3.2 cubic feet
per second, priority September 4, 1951;

T-1042

45-2552

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 South, Range 22 E. B. M., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 South, Range 22 E.B.M., and conducted through private ditch;

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well with points of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 12 South, Range 22 E.B.M., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, Township 12 South, Range 22 E.B.M., and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 12 South, Range 23 E.B.M., and conducted by private ditch;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 15th day of March, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

T-1042

45-2552

BURLEY, IDAHO

County of Cassia,)
STATE OF IDAHO) ss.

~~two (2)~~ consecutive weeks, commencing
with the issue dated January 18, 1965 and
ending with the issue dated January 25 1965

Vern A. Miller

27th day of January, 1965

Notary Public

Cost of Publication _____ MY COMMISSION EXPIRES 1 - 4 - 64

Notary Fee _____

Total Cost _____

REPORT

MAR 5 1965

[illegible]

T-1042

45-2552

The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Vern A. Miller, being first

duly sworn, deposes and says that he is the

General Manager of Burley Herald-Bulletin, a weekly newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of Burley Herald-Bulletin for

two (2) consecutive weeks, commencing

with the issue dated January 18, 1965 and

ending with the issue dated January 25, 1965

Vern A. Miller

Subscribed and sworn to before me this

27th day of January, 1965

Marjorie J. Siquik Notary Public

Cost of Publication _____

Notary Fee _____

Total Cost _____

65-18

NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT
Notice is hereby given that Anderson Bros., a co-partnership of 25 Van Engelen Drive, Burley, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion and/or place of use of the waters of subterranean source as follows:
Amount: 6.0 cubic feet per second. Priority: August 2, 1957.
Amount: 3.2 cubic feet per second. Priority: September 4, 1951.
Point of diversion: SW 1/4 SE 1/4, Section 13, Township 12 S., Range 22 E., B.M.
Point of diversion: SW 1/4 SE 1/4, Section 14, Township 13 S., Range 22 E., B.M.
Place of Use: All Sec. 13; E 1/4, Sec. 14, Twp. 12 S., Rge. 22 E.B.M.; Lots 1, 2, 3 & 4, Sec. 18, Twp. 12 S., Rge. 23 E.B.M.
To Be Transferred To
Point of Diversion: SW 1/4 SE 1/4, Section 14, Township 12 S., Range 22 E., B.M.
Point of Diversion: SW 1/4 SE 1/4, Section 13, Township 12 S., Range 22 E.B.M.
Point of Diversion: SW 1/4 SW 1/4, Section 7, Township 12 S., Range 23 E.B.M.
Place of Use: All Sec. 13; E 1/4, Sec. 14; NE 1/4, Sec. 12, Twp. 12 S., Rge. 22 E.; E 1/4, Sec. 18; W 1/4 S 1/4, N 1/4, Sec. 7, Twp. 12 S., Rge. 23 E.B.M.
And that on the 2nd day of February, 1965, at 2:00 o'clock P.M. at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.
CARL E. TAPPAN
State Reclamation Engineer
Published in the Burley Herald-Bulletin January 18, 25, 1965.

ROBERT E. SMYLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

February 12, 1965

Re: Transfer of Water Right
Anderson Brothers

RECEIVED
MAR 5 1965

Mr. A. H. Nielson,
Attorney at Law,
Box 367,
Burley, Idaho.

Dear Mr. Nielson:

To date we have not received the Affidavit of Publication or the \$1.00 recording fee in connection with the Transfer of Water Right in the name of the Anderson Brothers.

Upon receipt of these items, the Certificate of Transfer of Water Right will be issued.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Robert W. Hamilton

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:pmk

one year

- 1. After first season
evaluate his work.*
- 2. So there are no more
problems with
satisfactory.*

T-1042

45-2552

February 12, 1965

Re: Transfer of Water Right
Anderson Brothers

Mr. A. H. Nielson,
Attorney at Law,
Box 367,
Burley, Idaho.

Dear Mr. Nielson:

To date we have not received the Affidavit of Publication
or the \$1.00 recording fee in connection with the Transfer of Water
Right in the name of the Anderson Brothers.

Upon receipt of these items, the Certificate of Transfer
of Water Right will be issued.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:pmk

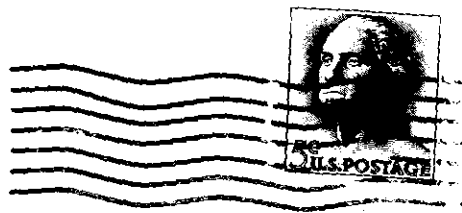
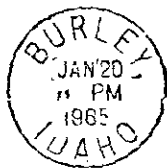
T-1042

45-2552

C
O
P
Y

HERALD BULLETIN
THE HERALD BULLETIN OF BURLEY, IDAHO

E. Main P. O. Box 750
BURLEY, IDAHO



Department of Reclamation
Room 107 Statehouse
Boise, Idaho

ESSC-ST
CH01-1

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

January 13, 1965

Re: Transfer of Water Right
Anderson Brothers, a
co-partnership

Burley Herald Bulletin,
Burley, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to **February 2, 1965** the date set for hearing; the expense of the publication is to be paid by the applicant **Anderson Brothers** of **25 Van Engelen Drive, Burley, Idaho** to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

T-1042

45-2552

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Anderson Bros., a co-partnership of 25 Van Englen Drive, Burley, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion and/or place of use of the waters of subterranean source as follows:
 Amount: 6.0 ~~3.2~~ cubic feet per second. Priority: August 2, 1957 ~~September 4, 1951~~
 Point of diversion: SW 1/4 SE 1/4, Section 13, Township 12 S., Range 22 E., B.M.
 Place of Use: All Sec. 13; E 1/2 Sec. 14, Twp. 12 S., Rge. 22 E.B.M.;
Lots 1, 2, 3 & 4, Sec. 18, Twp. 12 S., Rge 23 E.B.M.

To Be Transferred To
 Point of Diversion: SW 1/4 SE 1/4, Section 13, Township 12 S., Range 22 E., B.M.
 Place of Use: All Sec. 13; E 1/2 Sec. 14; NE 1/4 Sec. 12, Twp. 12 S., Rge 22 E.;
E 1/2 Sec. 18; W 1/2 Sec. 7, Twp. 12 S., Rge. 23 E.B.M.

And that on the 2nd day of February, 19 65, at 2:00 o'clock P. M.
 at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer,
 or his authorized agent, the opportunity will be given to any and all persons to
 appear and present, for his consideration any reason or reasons why a certificate
 should not be issued authorizing such transfer.

CARL E. TAPPAN

State Reclamation Engineer

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

TELEPHONE
678-5574

January 11, 1965

RECEIVED
JAN 12 1965

Department of Reclamation

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho

Re: Transfer of Water Rights, Anderson Bros.

Gentlemen:

In the above matter, Mr. Albert Anderson received a letter from you dated December 21, 1964.

We are returning the original application together with the map of the property described in the application. The map is correct, if you will notice Sections 7 and 18, Township 12 South, Range 23, E.B.M. are only half sections because they are next to the correction line.

If, in your opinion, the Application for Transfer of Water right does not comply with the map, then you have our permission to make whatever changes are necessary so that your office is satisfied that the application includes only the lands described in the map attached.

Very truly yours,

NIELSON & NIELSON

By 

A. H. Nielson

AHN:nw
Encl.

T-1042

45-2552

RECEIVED
DEC 21 1964

APPLICATION FOR TRANSFER OF WATER RIGHTS DEPARTMENT OF REGISTRATION

RECEIVED
JAN 12 1965

STATE OF IDAHO)
: ss.
County of Cassia)

Department of Registration

ALBERT ANDERSON, being first duly sworn, deposes and says:

That he is one of the general partners in Anderson Bros., a co-partnership composed of himself, Vanness Anderson and Ray Anderson, that this affiant is of legal age, a citizen of the United States and of the State of Idaho, and that his postoffice address is 25 Van Engelen Drive, Burley, Idaho. That this affiant makes this statement for and on behalf of Anderson Bros. and at the request of the other two partners.

That Anderson Bros. is the owner of Water License No. G-27017 which was issued for 6.0 cubic feet per second of water of a certain well for the irrigation of the

West Half of Section 13 and the East Half of Section 14, all in Township 12 South, Range 22, East Boise Meridian, Cassia County, Idaho. This property totals 640 acres.

That in addition the said Anderson Bros., a co-partnership, is the owner of a license and certificate of water right, License No. G-22355 for 3.2 cubic feet per second of water for the irrigation of the

East Half of Section 13, Township 12 South, Range 22, East Boise Meridian; and for Lots 1, 2, 3, and 4 of Section 18, Township 12 South, Range 23, East Boise Meridian. Totaling 480 acres.

That in addition Anderson Bros. is the owner of the

East Half of Section 18, the West Half of the South Half of Section 7 and the North Half of Section 7, all in Township 12 South, Range 23, East Boise Meridian in Cassia County, Idaho,

and is also the owner of

The Northeast Quarter of Section 12, Township 12 South, Range 22, East Boise Meridian.

All of the land owned by the said Anderson Bros. as above described totals 1680 acres.

That during the year of 1964 and without knowledge of the critical ground water situation, Anderson Bros. drilled a well located in the

Southwest Quarter of the Southwest Quarter of Section 7, Township 12 South, Range 23, East Boise Meridian.

Application for the water right of this is being sent at the same time this Transfer is being sent.

This well located in said Section 7 produced during the year of 1964, 300 inches of water. Water from the well secured under Water License No. G-27017 which only pumped 150 inches of water during the year 1964, and water from the well under water License No. G-22355 which produced during the year 1964 only 140 inches of water was used together with the well dug in Section 7 on the 1680 acres above described. That it is necessary to obtain 110 inches from the new well dug in Section 7, above described, to replace the water lost in the other two wells. Anderson Bros. has heretofore attempted to make application for a permit to appropriate the 190 inches of water over and above the 110 inches necessary to supply the loss in the other two wells.

Anderson Bros. desire to use water from the above mentioned three wells upon the above mentioned 1680 acres of land. With the sump pumps which have been installed on the above described lands Anderson Bros. can with one-half inch to the acre adequately irrigate all of the said lands. As Anderson Bros. is the owner, either in fee simple or under contract, of all of the above described land and of the wells, there will not be anyone injured nor will there be anyone molested in making the change.

Anderson Bros. in their application for permit for 190 inches of water in the well drilled in the spring of 1964 in said Section 7, have explained why, in their opinion, a permit could now be granted even though the well is in the critical ground water area, and that was because this said well in Section 7 obtains water from the Snake River plain.

There is not any water rights that are appurtenant to the above described 1680 acres of land except the water from the three wells.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to Anderson Bros. the proper certificate authorizing the use of water from the three wells upon the above described 1680 acres.

ANDERSON BROS, a co-partnership

By Albert Anderson
Applicant

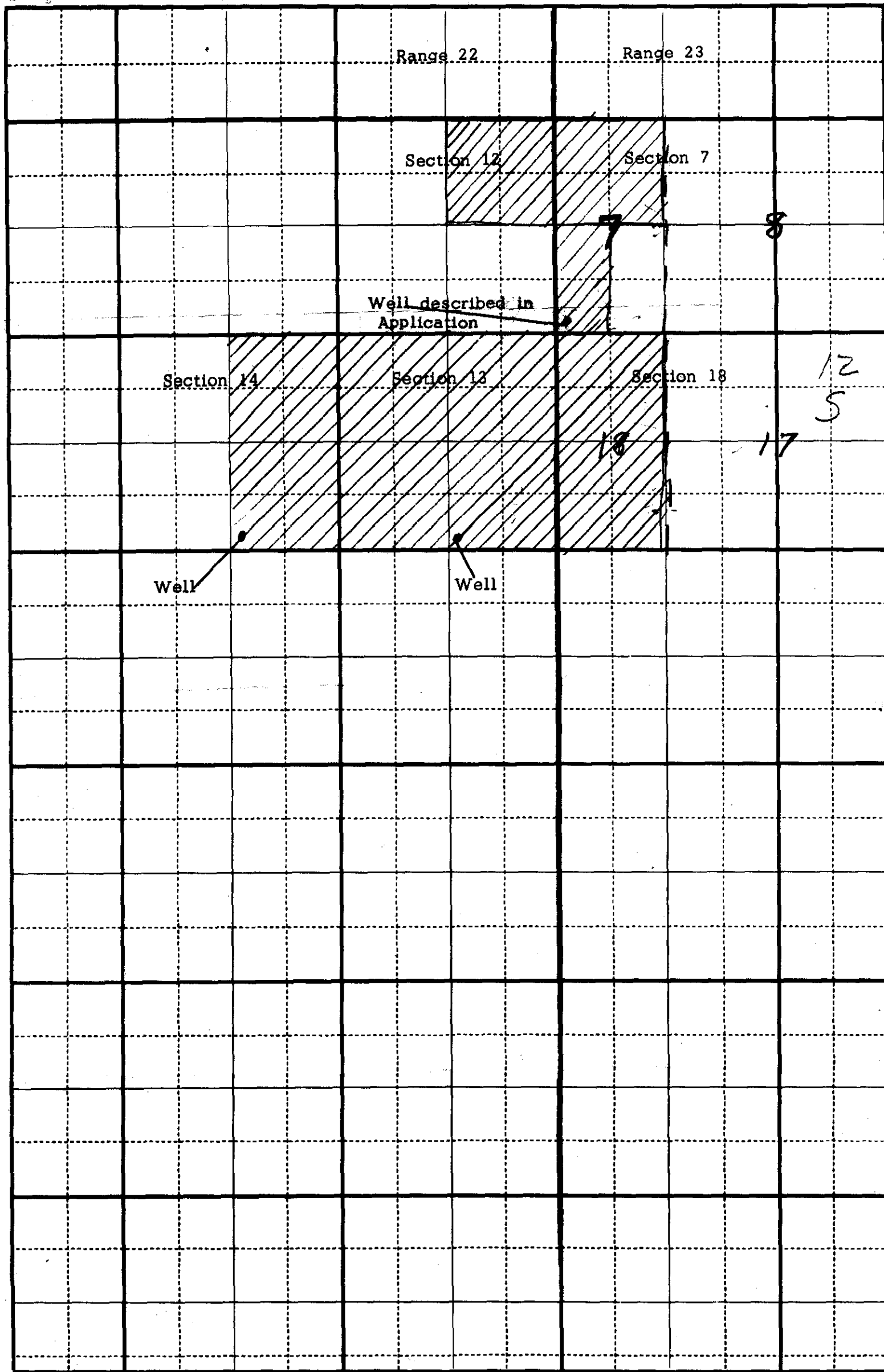
Subscribed and sworn to before me this 17th day of December, 1964.

A. T. Nielsen
Notary Public in and for Idaho
Residing At Burley, Idaho

My Commission Expires:
February 20, 1966.

NAME OF APPLICANT..... ANDERSON BROS.

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

T-1042

45-2552

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Albert Anderson Bros - a co-partnership of 25 Van Englen Avenue, Burley, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion and/or place of use of the waters of Subterranean Source as follows:

Amount: 3.2 cubic feet per second. ^{6.0} Priority: 8-2-57
^{SW SE 13} Point of diversion: SW 1/4 SE 1/4, Section 14, Township 12S Range 22E, B.M.
^{12S 22E} Place of Use: All - S. 13', E² - S. 14', - 12S - 22E, Lots 1, 2, 3 & 4 - 12S - 23E.

Point of diversion: ^{SW SE 14} SW 1/4 SE 1/4, Section 13, Township 12S, Range 22E B. M.
^{12S 22E} Place of Use: All S. 13', E² - S. 14', NE 1/4 - 12' - T. 12S - R. 22E, E² - S. 18', W² - S² - 7' - 12S - 23E, N² S. 7 - 12S - 23E

And that on the 2nd day of February, 1952, at 2:00 o'clock P. M., at Room 107 Stillman Bldg Boise Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

State Reclamation Engineer

T-1042

45-2552

December 21, 1964

Re: Transfer of Water Right

Mr. Albert Andersen,
25 Van Engelen Drive,
Burley, Idaho.

Dear Mr. Anderson:

We are returning your Application for Transfer of Water Right for correction.

The land description given on Page 1 gives the West $\frac{1}{2}$ of the S $\frac{1}{2}$, and the N $\frac{1}{2}$ of Section 7, Township 12 South, Range 23 East. The accompanying map shows the W $\frac{1}{2}$ of the SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of Section 7. Please make the necessary changes to show which is correct.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

Encl. - Application for Transfer
of Water Right

RWH:pmk

T-1042

45-2552